

**City of Miami Beach - City Commission Meeting**  
**Commission Chambers, 3rd Floor, City Hall**  
**1700 Convention Center Drive**  
**April 20, 2005**

Mayor David Dermer  
Vice-Mayor Luis R. Garcia, Jr.  
Commissioner Matti Herrera Bower  
Commissioner Simon Cruz  
Commissioner Saul Gross  
Commissioner Jose Smith  
Commissioner Richard L. Steinberg

City Manager Jorge M. Gonzalez  
City Attorney Murray H. Dubbin  
City Clerk Robert E. Parcher

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**ATTENTION ALL LOBBYISTS**

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

Call to Order - 9:00 a.m.  
Inspirational Message, Pledge of Allegiance  
Requests for Additions, Withdrawals, and Deferrals

Presentations and Awards

PA Presentations and Awards

Consent Agenda

C2 Competitive Bid Reports  
C4 Commission Committee Assignments  
C6 Commission Committee Reports  
C7 Resolutions

Regular Agenda

R2 Competitive Bid Reports  
R5 Ordinances  
R6 Commission Committee Reports  
R7 Resolutions  
R9 New Business and Commission Requests  
R10 City Attorney Reports

Reports and Informational Items

Miami Beach



2003

*"We are committed to providing excellent public service  
and safety to all who live, work, and play in our vibrant, tropical, historic community."*

**PA - Presentations and Awards**

- PA1 Proclamation Declaring The Week Of May 16 To May 20, 2005 As "Municipal Clerk's Week" In Miami Beach To Be Presented To The City Clerk's Office Staff. (Page 2)  
(City Clerk's Office)
- PA2 Certificate Of Appreciation To Be Presented To Steve Davidson And The Florida Moving Image Archive, For Their Efforts To Preserve The Film And Video Images Which Document The History And Culture Of Miami Beach.  
(City Clerk's Office)
- PA3 Proclamation Declaring April 2005, As "National Donate Life Month" In Miami Beach.  
(City Manager's Office)
- PA4 Proclamation To Be Presented In Honor Of The Christopher Ricardo Cystic Fibrosis Foundation Day .  
(Requested by Commissioner Jose Smith)
- PA5 Proclamation Declaring May 2005, As Cystic Fibrosis Awareness Month.  
(Requested by Commissioner Jose Smith)

**CONSENT AGENDA**

**Action:**  
**Moved:**  
**Seconded:**  
**Vote:**

**C2 - Competitive Bid Reports**

- C2A Request For Approval To Purchase, From Duval Ford, In The Amount Of \$289,044.00, Twenty-One (21) 2005 Ford Taurus Vehicles; From Garber Ford, In The Amount Of \$14,788.15, One (1) 2005 Ford Ranger Pickup Truck With Extended Cab; And From Maroone Dodge, In The Amount Of \$77,172.60, Four (4) 2005 Dodge Magnum Vehicles, Pursuant To Florida State Contract No. 04-12-0823.  
(Page 5)  
(Fleet Management)
- C2B Request For Approval To Purchase From Garber Chevrolet, In The Amount Of \$30,928.00, Two (2) 2005 Chevrolet Impala Vehicles, Pursuant To State Of Florida Contract No. 070-001-05-1.  
(Page 8)  
(Fleet Management)



**C2 - Competitive Bid Reports (Continued)**

- C2C Request For Approval To Award Purchase Orders To Southland Printing, Globe Ticket, And Rydin Decal For An Estimated Annual Amount Of \$79,046.40, Pursuant To Invitation To Bid No. 02-04/05 For The Purchase Of Spitter Tickets, Scratch-Off Hang Tags And Two Part Tickets. (Page 11)  
(Parking Department)

**C4 - Commission Committee Assignments**

- C4A Referral To The Finance And Citywide Projects Committee - Discussion Regarding Capital Improvement Of The Rotunda And 21 Street Complex. (Page 15)  
(Tourism & Cultural Development)
- C4B Referral To The Land Use And Development Committee A Discussion Regarding An Ordinance For Evaluation Of Older Buildings Recommended By The Mayor's Blue Ribbon Panel On Structural Integrity Of The Building. (Page 17)  
(Building Department)

**C6 - Commission Committee Reports**

- C6A Report Of The General Obligation Bond Oversight Committee Meeting Of March 7, 2005: 1) Contingency Report; 2) Discussion Item: A) Discussion On Committee Activities; 3) Project Status Report: A) Fire Station No. 2; B) Fire Station No. 4; C) Normandy Isle Park And Pool; D) West Avenue Neighborhood; E) Venetian Causeway; F) Venetian Islands Neighborhood - Belle Isle; G) Bayshore Neighborhood; H) Alton Road And Chase Avenue Improvements; And 4) Informational Items: A) Updated Calendar Of Scheduled Community Meetings; B) Updated Calendar Of Committee Meetings. (Page 26)
- C6B Report Of The Finance And Citywide Projects Committee Meeting Of March 9, 2005: 1) Discussion Regarding The City's Plans For Street Improvements; 2) Discussion Regarding The Colony Theatre Project; 3) Discussion Regarding The Shane Watersports Center; 4) Discussion Regarding The Parking System Capital Budget/Walker Parking Plan; And 5) Discussion Regarding The Miami Beach Community Health Center. (Page 38)
- C6C Report Of The Land Use And Development Committee Meeting Of March 28, 2005: 1) Discussion Regarding Long Term Storage Of Pods; And 2) Proposed Ordinance Regarding Demolition Procedures For Non-Designated Structures. (Page 46)

**C6 - Commission Committee Reports** (Continued)

- C6D Report Of The General Obligation Bond Oversight Committee Meeting Of April 4, 2005: 1) Contingency Report; 2) Discussion Item: A) Discussion On Sub-Committee For Public Outreach; 3) Project Status Report: A) Fire Station No. 2; B) Fire Station No. 4; C) Normandy Isle Park And Pool; D) Dade Boulevard Conditions; E) Alton Road And Chase Avenue; And 4) Informational Items: A) Updated Calendar Of Scheduled Community Meetings; B) Committee Appointments. (Page 50)
- C6E Report Of The Land Use And Development Committee Meeting Of April 11, 2005: 1) Discussion Regarding Jacksonville Barrier Removal Ordinance; 2) Discussion Regarding The Galeria Condominium's Request To Amend City Code Section 142-1134 Regarding Tennis Court And Light Restrictions Between 8:00 P.M. And 8:00 A.M.; And 3) Discussion Regarding Proposed Ordinance Regarding Revisions To The Single Family Development Regulations Section Of The City Code Pertaining To New Construction Requirements For Architecturally Significant Homes. (Page 60)
- C6F Report Of The Neighborhood/Community Affairs Committee Meeting Of March 29, 2005: 1) Discussion Regarding A Bicycle Taxi Business Proposed By Easy Riders; 2) Discussion Regarding An Ordinance Relating To Watercraft; Amending Chapter 66 By Enacting A New Section 66-8 Regulating The Mooring And Anchoring Of Watercraft Within The Boundaries Of The City; Prohibiting Anchoring Or Mooring For Nonnavigational Purposes; Defining Nonnavigational Purposes; Establishing A Penalty For Violation; Providing For Repealer Of All Conflicting Ordinances, Rules And Regulations; Providing For Codification And A Severance Clause; And Setting An Effective Date; 3) Discussion Regarding On-Street Parking/Espanola Way (And Cul-De-Sac); 4) Discussion Regarding The Scheduling Of Commission Meeting Dates; And 5) Review And Discussion Of The Changes Proposed By The Miami Beach Jewish Community Center, Inc. (JCC) To Their Originally Approved Concept Plan, As Reflected In The Preliminary Plans And Specifications Submitted To The City On February 8, 2005, For The City's Proprietary Review And Consideration, Related To The City-Owned Property That Is Leased To The JCC And Located At 4221-29 Pine Tree Drive, Miami Beach, Florida. (Page 62)

**C7 - Resolutions**

- C7A A Resolution Appropriating \$80,912 From The Series 2000 Water And Sewer Bond Interest Funds For The 25th Street Water Tanks Project As Part Of The Original Project Allocation. (Page 73)  
(Capital Improvement Projects)
- C7B A Resolution Waiving By 5/7ths Vote, The Formal Competitive Bidding Requirements, Finding Such Waiver To Be In The Best Interest Of The City, And Authorizing The City Manager's Designee, Who Shall Be The Property Management Director, A Licensed General Contractor, To Select, Negotiate, And Award All Contracts, Agreements, Purchase Orders, And Change Orders For The Purchase Of All Necessary Goods And Services (Construction And Professional) Relative To All The FY 05 Capital Renewal And Replacement Fund Projects Providing That All Documents Be Reviewed By The Appropriate Members Of The Administration, City Attorney's Office, And Contains Minimum Terms And Conditions As Set Forth In This Resolution; And Further Authorizing The Mayor And City Clerk To Execute Any And All Agreements Relative To The Aforestated Projects. (Page 76)  
(Public Works)

**C7 - Resolutions** (Continued)

- C7C A Resolution Setting A Public Hearing To Waive The Development Regulations Pursuant To Section 142-425 (D) Of The City Code For The Proposed Surface Parking Lot At 137 Washington Avenue. (Page 83)  
(Capital Improvements Office)
- C7D A Resolution Authorizing The Donation Of Three (3) Ford Crown Victoria Police Pursuit Vehicles In "As Is" Condition To The Miami-Dade College School Of Justice. (Page 90)  
(Fleet Management)
- C7E A Resolution Authorizing The City Manager Or His Designee To Submit Applications For Grant Funds To The Following Agencies: 1) The Children's Trust, FY 2005/06 Promotion And Prevention Program For Funding, In An Amount Not To Exceed \$200,000 For The City's Year Round Programs; 2) Federal Emergency Management Agency (FEMA), FY 05/06 Hazard Mitigation Funding Program, For Funding, In An Amount Not To Exceed \$18,000,000 For Hazard Mitigation Activities; 3) US Department Of Homeland Security Office Of Domestic Preparedness For The 2005 Assistance To Firefighters Grant Program In An Amount Not To Exceed \$150,000; 4) US Department Of State, Cultural Facilities Grant Program For Funding In An Amount Not To Exceed \$500,000 For The Colony Theater Renovation Project; 5) Miami-Dade County Homeless Trust For Funding In An Amount Not To Exceed \$100,000 For The City's Supportive Housing Program; And, 6) State Of Florida, Department Of Historic Preservation In An Amount Not To Exceed \$25,000 For The Designation Of The MIMO District; And 7) Executing A Memorandum Of Understanding Between The City Of Miami Beach And Miami-Dade County For Funding From The US Office Of Domestic Preparedness State Homeland Security Grant Program FY 2004/5 For The Purpose Of Making The Miami-Dade County Terrorism Response Plan Operational; And Approving Further Appropriating The Grants If Approved And Accepted By The City; And Authorizing The Execution Of All Necessary Documents Related To This Application. (Page 95)  
(Grants Management)
- C7F A Resolution Recommending The Appointments Of Three (3) To The Private Sector Business Seat To The South Florida Workforce Board Of The South Florida Employment And Training Consortium. (Page 102)  
(Human Resources)
- C7G A Resolution Authorizing The Administration To Issue A Request For Proposal For The Purpose Of Obtaining (1) Physical Examinations On Hires And On Promotions For Classifications Where Physical Duties Vary Greatly; (2) Drug Tests On Hires To Maintain A Drug-Free Work Environment; (3) Return To Work Clearance Evaluations; (4) Rehabilitation Evaluations; (5) Administration Of An Employee Assistance Program; (6) Retention Of All Medical Records; (7) Evaluation Of Applicants And Employees, As Required By The City; (8) Administration Of Vaccines For City Employees, As Needed; (9) Designation As The City Physician; (10) Conduct Random Drug And Alcohol Testing Based On The Florida Department Of Transportation Standards And Union Contracts; And (11) Other Medical Services, As May Be Necessary And/Or Required By The City And Local, State And Federal Laws. (Page 117)  
(Human Resources)

**C7 - Resolutions** (Continued)

- C7H A Resolution Establishing April 2005 As "Fair Housing Month" In The City Of Miami Beach.  
(Page 132)  
(Neighborhood Services)
- C7I A Resolution Authorizing The Mayor And City Clerk To Execute The Attached Home Investment Partnerships (Home) Program Agreement With The Miami Beach Community Development Corporation (MBCDC) Providing \$298,218 Of Home Program Funds From Fiscal Year 2003/04 For The Rehabilitation Of The Westchester Apartments, Located At 516 15th Street, Miami Beach, To Provide 24 Rental Units For Income-Eligible Participants In Accordance With The Home Program Requirements; Further, Approving A One-Time Only Assignment Of This Agreement From MBCDC To MBCDC: Westchester Apartments, LLC, A Not-For-Profit Entity Created By MBCDC As A Successor In Interest In Title To The Westchester Apartments Property, Located At 516 15th Street, And Under This Agreement. (Page 135)  
(Neighborhood Services)
- C7J A Resolution Setting A Preliminary Public Hearing For May 2005, Pursuant To Code Section 118-705(b)(1), "Procedures For The Adoption Of Specific NCD Overlay Districts," In Order To Consider The Merits Of The Proposed Gilbert M. Fein Neighborhood Conservation District. (Page 148)  
(Planning Department)
- C7K A Resolution Approving The Issuance Of A Purchase Order To DGG Taser, Inc., The Sole Source Distributor Of The X-26 And M-26 Tasers, For The Purchase Of X-26 Tasers, Air Cartridges And Holsters For Use By The Police Department In The Estimated Amount Of \$55,000. (Page 153)  
(Police Department)
- C7L A Resolution Authorizing The Appropriation Of \$110,000 In Concurrency Mitigation Funds For Traffic Calming Purposes, Including The Purchase Of Two (2) Nu-Metrics Speed And Volume Counters And Related Software, At Approximately \$5,000; Develop Traffic Calming Plans And Manual For Miami Beach At A Cost Not To Exceed \$25,000; And Purchase Materials To Implement Solutions Recommended For The Pilot Areas, At Approximately \$80,000. (Page 160)  
(Public Works)
- C7M A Resolution Approving Amendment Five To EDAW's Agreement With The City For The Planning And Design Of The Flamingo Neighborhood Right Of Way Improvement Project To Provide For Additional Professional Services In The Amount Of \$556,214 Required To Implement The Project Including Additional Water Main Replacement, Utility Verification, Extended Planning Phase, And Encroachment Analysis Services, And Further Appropriating Funding For This Purpose As Follows: \$121,405 In Series 2000 Water And Sewer Bond Design/Management Contingency Funds; \$121,404 In Series 2000 Stormwater Bond Design/Management Contingency Funds; \$128,309 In Series 2000 Water And Sewer Bond Funds; \$4,725 In Series 2000 Stormwater Bond Funds; And \$7,999 In 1999 G.O. Bond Funds. (Page 169)  
(Capital Improvement Projects)

**End of Consent Agenda**



## PA - Presentations and Awards

- PA1 Proclamation Declaring The Week Of May 16 To May 20, 2005 As "Municipal Clerk's Week" In Miami Beach To Be Presented To The City Clerk's Office Staff.  
(City Clerk's Office)
- PA2 Certificate Of Appreciation To Be Presented To Steve Davidson And The Florida Moving Image Archive, For Their Efforts To Preserve The Film And Video Images Which Document The History And Culture Of Miami Beach.  
(City Clerk's Office)
- PA3 Proclamation Declaring April 2005, As "National Donate Life Month" In Miami Beach.  
(City Manager's Office)
- PA4 Proclamation To Be Presented In Honor Of The Christopher Ricardo Cystic Fibrosis Foundation Day.  
(Requested by Commissioner Jose Smith)
- PA5 Proclamation Declaring May 2005, As Cystic Fibrosis Awareness Month.  
(Requested by Commissioner Jose Smith)

AGENDA ITEM PA1-5  
DATE 4-20-05

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**CITY OF MIAMI BEACH  
COMMISSION ITEM SUMMARY**



**Condensed Title:**

Request For Approval To Purchase, From Duval Ford, In The Amount Of \$289,044.00, Twenty-one (21) 2005 Ford Taurus Vehicles; From Garber Ford, In The Amount Of \$14,788.15, One (1) 2005 Ford Ranger 4x2 Pickup Truck With Extended Cab; And From Maroone Dodge, In The Amount Of \$77,172.60, Four (4) 2005 Dodge Magnum Vehicles, Pursuant To Florida State Contract No. 04-12-0823.

**Issue:**

Shall the Commission approve the purchases?

**Item Summary/Recommendation:**

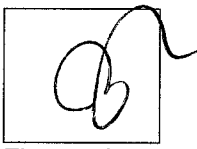
The 2005 Ford Ranger 4x2 Extended Cab pickup truck is a budgeted **addition** and will be funded by the Parks & Recreation Capital Account. The 2005 Ford Ranger 4x2 Extended Cab pickup will be used by the Parks and Recreation Department, Greenspace Management Division's new Urban Forester. The twenty-one (21) 2005 Ford Taurus and four (4) 2005 Dodge Magnum vehicles are budgeted **replacements** and will be funded by the Fleet Management Fund Capital Account. These vehicles will be used by the Police Department's Criminal Investigation Division and the Special Investigations Unit.

The Administration recommends approving the purchases.

**Advisory Board Recommendation:**

n/a



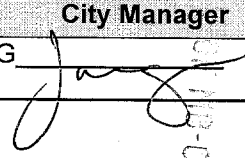
**Financial Information:**

Source of Funds:		Amount	Account	Approved
 Finance Dept.	1	\$ 14,788.15	011.0940.000673 Parks & Rec Capital Fund Account	
	2	\$366,216.60	510.1780.000673 Fleet Management Fund Capital Account	
	3			
	4			
	<b>Total</b>	<b>\$381,004.75</b>		

**City Clerk's Office Legislative Tracking:**

Andrew E. Terpak

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager
AET KS 	GL 	JMG 

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AGENDA ITEM

C24

DATE

4-20-05

# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
www.miamibeachfl.gov



## COMMISSION MEMORANDUM

**To:** Mayor David Dermer and  
Members of the City Commission

**Date:** April 20, 2005

**From:** Jorge M. Gonzalez  
City Manager

**Subject:** **REQUEST FOR APPROVAL TO PURCHASE, FROM DUVAL FORD, IN THE AMOUNT OF \$289,044.00, TWENTY-ONE (21) 2005 FORD TAURUS VEHICLES; FROM GARBER FORD, IN THE AMOUNT OF \$14,788.15, ONE (1) 2005 FORD RANGER PICKUP TRUCK WITH EXTENDED CAB; AND FROM MAROONE DODGE, IN THE AMOUNT OF \$77,172.60, FOUR (4) 2005 DODGE MAGNUM VEHICLES, PURSUANT TO FLORIDA STATE CONTRACT NO. 04-12-0823.**

### ADMINISTRATION RECOMMENDATION

Approve the purchases.

### BID AMOUNT AND FUNDING

\$366,216.60	Fleet Management Fund Capital Account	510.1780.000673
\$ 14,788.15	Parks & Recreation Capital Account	011.0940.000673

### ANALYSIS

The vehicles are recommended to be purchased pursuant to Florida State Contract No. 04-12-0823.

The 2005 Ford Ranger Pickup Truck with extended cab is a budgeted addition and will be funded by the Parks and Recreation Department Capital Account. This vehicle will be used by the Parks and Recreation Department, Greenspace Management Division's new Urban Forester.

The twenty-one (21) 2005 Ford Taurus vehicles and four (4) 2005 Dodge Magnum vehicles are budgeted replacements and will be funded by the Fleet Management Fund Capital Account. These vehicles will be used by the Police Department's Criminal Investigations Division and Special Investigations Unit.

The vehicles listed on the following page have met or exceeded the established criteria for replacement:

### Replacement Vehicles

Veh#	Dept.	Year	Make/Model	Mileage	Life To Date Maintenance	Condition
2114	1140	1996	Chev/Lumina	45,848	\$5,894.00	Fair
2134	1140	1997	Chev/Lumina	120,329	\$6,902.00	Poor
2136	1140	1997	Chev/Lumina	136,346	\$5,095.00	Poor
2137	1140	1997	Chev/Lumina	108,776	\$5,518.00	Poor
2140	1140	1997	Chev/Lumina	88,181	\$10,513.00	Poor
2142	1140	1997	Chev/Lumina	65,780	\$4,648.00	Fair
2143	1120	1997	Chev/Lumina	93,473	\$6,527.00	Fair
2146	1140	1997	Chev/Lumina	44,584	\$4,362.00	Fair
2149	1140	1997	Chev/Lumina	125,218	\$12,970.00	Poor
2150	1130	1997	Chev/Lumina	89,178	\$5,662.00	Fair
2152	1140	1997	Chev/Lumina	106,338	\$5,633.00	Fair
2153	1140	1997	Chev/Lumina	90,973	\$8,457.00	Fair
2154	1130	1997	Chev/Lumina	70,026	\$5,698.00	Fair
2155	1140	1997	Chev/Lumina	87,542	\$4,675.00	Fair
2156	1140	1997	Chev/Lumina	89,729	\$5,964.00	Fair
2157	1130	1997	Chev/Lumina	108,335	\$7,211.00	Poor
2159	1140	1997	Chev/Lumina	65,874	\$4,383.00	Fair
2160	1140	1997	Chev/Lumina	80,315	\$4,848.00	Fair
2161	1130	1998	Chev/Lumina	39,826	\$4,382.00	Fair
2162	1140	1998	Chev/Lumina	69,441	\$6,779.00	Fair
2163	1120	1998	Chev/Lumina	113,407	\$17,827.00	Poor
2164	1140	1998	Chev/Lumina	61,376	\$7,073.00	Fair
2166	1140	1998	Chev/Lumina	67,422	\$4,087.00	Fair
2168	1110	1999	Ford/Taurus	71,978	\$8,530.00	Fair
2182	1150	1999	Ford/Taurus	94,809	\$9,668.00	Poor

Criteria for replacement of vehicles are based on age, mileage, maintenance, engine hours (one engine hour idling = 35 miles), and overall condition of the vehicle. The life-to-date maintenance includes all costs associated with the vehicle, including, but not limited to, repairs, routine maintenance, accidents and other damage.

All deadlined vehicles and equipment are used as a trade-in or sold at public auction. This process reduces our cost of ownership and completes the life cycle.

The Administration recommends that the City Commission approve the purchases from Duval Ford of twenty-one (21) 2005 Ford Taurus vehicles, in the amount of \$289,044.00; from Garber Ford, of one (1) 2005 Ford Ranger 4x2 Pickup Truck with extended cab, in the amount of \$14,788.15; and from Maroone Dodge of four (4) 2005 Dodge Magnum vehicles, in the amount of \$77,172.60, pursuant to Florida State Contract No. 04-12-0823.

  
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**CITY OF MIAMI BEACH  
COMMISSION ITEM SUMMARY**



**Condensed Title:**

Request For Approval To Purchase, From Garber Chevrolet, In The Amount Of \$30,928.00, Two (2) 2005 Chevrolet Impala Vehicles, Pursuant To State Of Florida Contract No. 070-001-05-1.

**Issue:**

Shall the Commission approve the purchase?

**Item Summary/Recommendation:**

The two (2) 2005 Chevrolet Impala vehicles are budgeted **replacements** and will be funded by the Fleet Management Fund Capital Account. These vehicles will be used by the Police Department's Criminal Investigations Division and Special Investigation Unit.

The Administration recommends approving the purchase.

**Advisory Board Recommendation:**

n/a

**Financial Information:**

Source of Funds:	Amount		Account		Approved
	1	\$30,928.00	510.1780.000673	Fleet	
	2		Management Fund Capital Account		
	3				
	4				
	<b>Total</b>	\$30,928.00			

Finance Dept.

**City Clerk's Office Legislative Tracking:**

Andrew E. Terpak

**Sign-Offs:**

Department Director		Assistant City Manager	City Manager
AT	GL	RCM	JMG

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AGENDA ITEM

C2B

DATE

4-2005

# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
www.miamibeachfl.gov



## COMMISSION MEMORANDUM

**To:** Mayor David Dermer and  
Members of the City Commission

**Date:** April 20, 2005

**From:** Jorge M. Gonzalez  
City Manager

**Subject:** **REQUEST FOR APPROVAL TO PURCHASE FROM GARBER CHEVROLET, IN THE AMOUNT OF \$30,928.00, TWO (2) 2005 CHEVROLET IMPALA VEHICLES, PURSUANT TO STATE OF FLORIDA CONTRACT NO. 070-001-05-1.**

### ADMINISTRATION RECOMMENDATION

Approve the purchase.

### BID AMOUNT AND FUNDING

\$30,928.00      Fleet Management Capital Fund Account      510.1780.000673

### ANALYSIS

The vehicles are recommended to be purchased pursuant to State of Florida Contract No. 070-001-05-1.

The two (2) 2005 Chevrolet Impalas are budgeted replacements and will be funded by the Fleet Management Capital Fund Account. These vehicles will be used by the Police Department's Criminal Investigations Division and the Special Investigations Unit.


The vehicles listed below have met or exceeded the established criteria for replacement:

Veh#	Dept.	Year	Make/Model	Mileage	Life To Date Maintenance	Condition
2145	1150	1997	Chev/Lumina	91,742	\$4,026.00	Poor
2165	1140	1998	Chev/Lumina	80,603	\$14,969.00	Poor

Criteria for replacement of vehicles are based on age, mileage, maintenance, engine hours (one hour idling = 35 miles), and overall condition of the vehicle. The life to date maintenance includes all costs associated with the vehicle, including, but not limited to, repairs, routine maintenance, accidents and other damage.

All deadlined vehicles are used as a trade-in or sold at public auction. This process reduces our cost of ownership and completes the life cycles.

The Administration recommends that the City Commission approve the purchase of two (2) 2005 Chevrolet Impalas from Garber Chevrolet, in the amount of \$30,928.00, pursuant to State of Florida Contract No. 070-001-05-1.

  
JMG/RCM/GL/AET/mo  
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**CITY OF MIAMI BEACH  
COMMISSION ITEM SUMMARY**



**Condensed Title:**

Request for Approval to Award Purchase Orders to Southland Printing, Globe Ticket, and Rydin Decal for an Estimated Annual Amount of \$79,046.40, Pursuant to Invitation to Bid No. 02-04/05 for the Purchase of Spitter Tickets, Scratch-Off Hang Tags and Two Part Tickets.

**Issue:**

Shall the City Commission Approve the Award?

**Item Summary/Recommendation:**


The purpose of Invitation to Bid No. 02-04/05 (the "Bid") is to establish a contract, by means of sealed bids, for the supply of Spitter Tickets, Scratch-off Hang Tags and Two Part Tickets for the City of Miami Beach Parking Department on an as needed basis.

This contract shall remain in effect from time of award by the Mayor and City Commission until September 30, 2006, and may be renewed by mutual agreement for two (2) additional years, on a year to year basis, provided the successful bidder(s) will agree to maintain the same price, terms and conditions.

Based on the analysis of the bids received it is recommended that the purchase orders be awarded to Southland Printing, (Groups I and III) Globe Ticket, (Group II) and Rydin Decal (Groups IV and V) as indicated on the attached bid tabulation.

**Advisory Board Recommendation:**



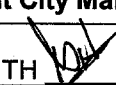
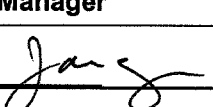
**Financial Information:**

Source of Funds:		Amount	Account	Approved
 Finance Dept.	1	\$79,046.40	Parking - 480.0463.00324	
	2			
	3			
	4			
	Total			

**City Clerk's Office Legislative Tracking:**

Gus Lopez

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager
GL  SF 	TH 	JMG 

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AGENDA ITEM

C2C

DATE

4-20-05

# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
www.miamibeachfl.gov



## COMMISSION MEMORANDUM

**To:** Mayor David Dermer and  
Members of the City Commission

**Date:** April 20, 2005

**From:** Jorge M. Gonzalez  
City Manager

**Subject:** **REQUEST FOR APPROVAL TO AWARD PURCHASE ORDERS TO SOUTHLAND PRINTING, GLOBE TICKET, AND RYDIN DECAL FOR AN ESTIMATED ANNUAL AMOUNT OF \$79,046.40, PURSUANT TO INVITATION TO BID NO. 02-04/05 FOR THE PURCHASE OF SPITTER TICKETS, SCRATCH-OFF HANG TAGS AND TWO PART TICKETS.**

### ADMINISTRATION RECOMMENDATION

Approve the Awards.

### BID AMOUNT AND FUNDING

\$79,046.40 (Estimated) Funds are available from the Parking Department Account Number: 480.0463.00324.

### ANALYSIS

The purpose of Invitation to Bid No. 02-04/05 (the "Bid") is to establish a contract, by means of sealed bids, for the supply of Spitter Tickets, Scratch-off Hang Tags and Two Part Tickets for the City of Miami Beach Parking Department on an as needed basis, from a source(s) of supply that will give prompt and efficient service.

Spitter Tickets are Magstripe machine tickets issued at all locations using the City's system wide Federal APD Parking Equipment. Scratch-Off Hang tags are used in conjunction with the Hotel Hang Tag Program as well as the one day visitor hang tag program. Two Part Tickets are used in all City Of Miami Beach Pay and Display Lots as well as the 17<sup>th</sup> Street Garage during all pre-pay parking events.

This contract shall remain in effect from time of award by the Mayor and City Commission until September 30, 2006, and may be renewed by mutual agreement for two (2) additional years, on a year to year basis, provided the successful bidder(s) will agree to maintain the same price, terms and conditions.



## ANALYSIS (Continued)

The Bid was issued on December 29, 2004, with an opening date of February 3, 2005. Bidnet issued bid notices to thirteen (13) prospective bidders, and the Procurement Division issued an additional nine (9) bid notices which resulted in the receipt of four bids.

## RECOMMENDATION

Based on the analysis of the bids received, it is recommended that the purchase orders be awarded to Southland Printing, (Groups I and III) Globe Ticket, (Group II) and Rydin Decal (Groups IV and V) as indicated on the attached bid tabulation.

## BID TABULATION

TABULATED RESULTS										
Bid # 02-04/05 -Purchase of spitter tickets, hang tags, two-part tickets and parking decals										
		Southland Printing		Toledo Ticket Co.		Globe Ticket		Rydin Decal		Lowest per gro
		Awarded Amou								
	Qty.	Unit Price per 1,000	Total \$	Unit Price per 1,000	Total \$	Unit Price per 1,000	Total \$	Unit Price per 1,000	Total \$	
<b>Group I Spitter Tickets:</b>										
17th St. Garage	900,000	9.78	8,802.00	12.21	10,989.00	n/b		n/b		
17th St. Surface Lot	500,000	9.78	4,890.00	12.21	6,105.00	n/b		n/b		
7th St. & Collins	500,000	9.78	4,890.00	12.21	6,105.00	n/b		n/b		
13th St. Garage	300,000	9.78	2,934.00	12.21	3,663.00	n/b		n/b		
16th St. Garage	500,000	9.78	4,890.00	12.21	6,105.00	n/b		n/b		
42nd St. Garage	300,000	9.78	2,934.00	12.21	3,663.00	n/b		n/b		
Manual Ticket	120,000	9.78	1,173.60	12.21	1,465.20	n/b		n/b		
<b>Total Group I</b>			<b>30,513.60</b>		<b>38,095.20</b>		<b>0.00</b>		<b>0.00</b>	<b>\$30,513</b>
<b>Group II Scratch Off H-Tags:</b>										
Scratch-off Hang tag	37,000	n/b		260.00	9,620.00	240.95	8,915.15	249.00	9,213.00	
<b>Total Group II</b>					<b>9,620.00</b>		<b>8,915.15</b>		<b>9,213.00</b>	<b>\$8,915</b>
<b>Group III Two-part tickets:</b>										
Blue \$8.00	300,000	10.99	3,297.00	12.42	3,726.00	15.47	4,641.00	n/b		
Natural Blank	160,000	10.99	1,758.40	12.42	1,987.20	15.47	2,475.20	n/b		
Natural \$5.00	900,000	10.99	9,891.00	12.42	11,178.00	15.47	13,923.00	n/b		
Green \$6.00	300,000	10.99	3,297.00	12.42	3,726.00	15.47	4,641.00	n/b		
Yellow \$10.00	100,000	10.99	1,099.00	12.42	1,242.00	15.47	1,547.00	n/b		
<b>Total Group III</b>			<b>19,342.40</b>		<b>21,859.20</b>		<b>27,227.20</b>	<b>n/b</b>	<b>0.00</b>	<b>\$19,342</b>
<b>Group IV Parking Decals:</b>										
Civic/Residential	15,675	n/b		n/b		n/b		630.00	9,875.25	
Municipal	10,000	n/b		n/b		n/b		230.00	2,300.00	
<b>Total Group IV</b>			<b>0.00</b>		<b>0.00</b>		<b>0.00</b>		<b>12,175.25</b>	<b>\$12,175</b>
<b>Group V Resid. Visitor H-Tag</b>										
Visitor Hang tag	11,250	n/b		n/b		n/b		720.00	8,100.00	
<b>Total Group V</b>			<b>0.00</b>		<b>0.00</b>				<b>8,100.00</b>	<b>\$8,100</b>
			<b>\$ 49,856.00</b>		<b>\$ 69,574.40</b>		<b>\$ 36,142.35</b>		<b>\$29,488.25</b>	<b>\$79,046</b>
<b>Delivery</b>										
		20 days after approval		20-25 days ARO		25 days ARO		35-45 days		
<b>Minimum Order</b>		\$1,000		n/a		\$6,200		Group I: n/a Groups IV, V: \$1,000		

**C4**  
**Comm. Committee**  
**Assignments**

# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
www.miamibeachfl.gov



## COMMISSION MEMORANDUM

**To:** Mayor David Dermer and  
Members of the City Commission

**Date:** April 20, 2005

**From:** Jorge M. Gonzalez  
City Manager

**Subject:** REFERRAL TO THE FINANCE AND CITYWIDE PROJECTS COMMITTEE  
DISCUSSION REGARDING CAPITAL IMPROVEMENT OF THE ROTUNDA  
AND 21 STREET COMPLEX.

### ADMINISTRATION RECOMMENDATION

Refer item to the Finance and Citywide Projects Committee for discussion.

### ANALYSIS

On October 15, 2004 and November 12, 2004, the Collins Park Cultural Center Oversight Committee discussed the City's capital improvement of the Rotunda and 21 Street Complex. Preliminary design estimates for converting the Rotunda into a "bare bones" public space amounts to approximately \$1.2 million dollars. As the area around the Rotunda already consists of three major cultural facilities (Collins Park) which contain ample performance spaces, the discussion focused on investing these funds into another public space in that area, more specifically the Little Acorn Theater and the restoration of the 21<sup>st</sup> Street Clubhouse to better serve its current and future users. This matter was also discussed by the CAC on November 5, 2004.

The CAC subsequently passed a motion recommending against converting the Rotunda to a public space and to invest the funds into renovating the 21 Street Complex. Furthermore, the Collins Park Cultural Center Oversight Committee adopted a resolution recommending that the Administration look at the Rotunda as an art piece and not develop it into an arts performance space, in exchange for developing the Carl Fisher Club House, Acorn Theater and the 21<sup>st</sup> Street Bandshell.

At this time, the Administration recommends referring a discussion to the Finance and Citywide Projects Committee regarding whether or not to reprogram funding that would otherwise be needed to retrofit the Rotunda into a public space to restore and renovate the 21 Street Complex.

JMG/TH/

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**Agenda Item** C4A  
**Date** 4-20-05

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# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
www.miamibeachfl.gov



## COMMISSION MEMORANDUM

**To:** Mayor David Dermer and  
Members of the City Commission

**Date:** April 20, 2005

**From:** Jorge M. Gonzalez  
City Manager

**Subject: REFERRAL TO THE LAND USE AND DEVELOPMENT COMMITTEE A  
DISCUSSION REGARDING AN ORDINANCE FOR EVALUATION OF  
OLDER BUILDINGS RECOMMENDED BY THE MAYOR'S BLUE RIBBON  
PANEL ON STRUCTURAL INTEGRITY OF THE BUILDING.**

### ADMINISTRATION RECOMMENDATION

Refer the item.

### ANALYSIS

The Mayor's Blue Ribbon Panel on Structural Integrity of Buildings was appointed to investigate the ongoing problems of demolition of historic structures in Miami Beach, and to make recommendations about how to solve the problem. The panel conducted meetings throughout 2004, reviewed case studies and existing City and County Ordinances and regulations. The panel spent a significant period of time discussing practical and technical aspects of a building recertification process. At the final meeting, the panel recommended that a local building recertification ordinance be drafted by the Building Department, which will require a more stringent structural investigation of the historic buildings and require a 5-year recertification cycle, in addition to the current Miami-Dade County Building Recertification Requirements.

Attached hereto is a proposed ordinance, titled Evaluation of the Older Buildings which follows the recommendations of the Mayor's Blue Ribbon Panel, providing procedures and requirements for the recertification of the historic buildings.

At this time, the Administration recommends referring the Ordinance to the Land Use and Development Committee regarding practicality, impact and potential consequences, if the proposed ordinance is adopted.

JMG/TH/HD

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Agenda Item C4B  
Date 4-20-05

## **EVALUATION OF OLDER BUILDINGS**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AMENDING THE BUILDING REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 14, PART II, ARTICLE II "CONSTRUCTION STANDARDS", TO INCLUDE THE EXAMINATION AND EVALUATION OF OLDER BUILDINGS WHICH WILL PERTAIN TO BUILDINGS THAT ARE IN EXISTENCE FOR FORTY (40) YEARS OR LONGER AND FOR SUBSEQUENT EVALUATION IN FIVE (5) YEAR INTERVALS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Miami Beach seeks to create an ordinance for the "Evaluation of Older Buildings" that will pertain to buildings which are in existence for forty (40) years or longer and for subsequent evaluation in five (5) year intervals.

**WHEREAS**, the City of Miami Beach seeks to retain and preserve its historical and architectural heritage and

**WHEREAS**, the City of Miami Beach seeks to ensure the protection of historic and architecturally significant structures from deterioration and neglect; and

**WHEREAS**, the City of Miami Beach seeks to monitor all buildings to determine the extent of structural deterioration before they become a threat to the life, safety and welfare of the public so that repairs may begin before demolition becomes necessary; and

**WHEREAS**, the City of Miami Beach seeks to encourage property owners to take reasonable and responsible steps to preserve their property; and

**WHEREAS**, the City of Miami Beach has created procedures, requirements and minimum structural procedural guidelines, defined below, which are necessary to accomplish the above objectives.

**NOW, THEREFORE, BE IT DULY ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**

**SECTION 1. This Ordinance shall be named the EVALUATION OF OLDER BUILDINGS ORDINANCE.**

### **SECTION 2. EVALUATION OF OLDER BUILDINGS:**

The requirements contained in the Florida Building Code, Chapter 8 and Chapter 17A of the Code of Miami-Dade County (hereinafter all codes collectively referred to as the Building Code) covering the maintenance of buildings, shall apply to all buildings and/or structures now existing or hereafter erected.

## **SECTION . INTENT.**

The intent and purpose of this standard is to preserve and ensure the protection of all buildings and structures, thereby ensuring public safety and welfare and preserving the historical and architectural heritage for all the people of the City of Miami Beach, Florida, by establishing the evaluation of older building standards; fixing certain responsibilities and duties to owners of buildings and structures; establishing procedures for the inspection of all buildings forty (40) years or older; fixing penalties for the violation of the provisions of this standard. This standard is essential to the public interest and is intended to effectuate the purposes as stated.

## **SECTION . EXISTING REMEDIES PRESERVED.**

Where any provision of this standard is found to be in conflict with the Florida Building Code, or any other County Code or regulation, the provision which establishes the highest standard shall prevail. Nothing in this standard shall be deemed to abolish or impair any existing remedies relating to the removal or demolition of any building or structure which are deemed to be dangerous, unsafe or unsanitary, by the City Building Official under emergency action and/or by demolition order issued by Miami-Dade County Unsafe Structures Board.

### **Evaluation of buildings and components:**

For the purpose of this Subsection, evaluation shall be construed to mean the requirement for specific inspection of existing buildings and structures and furnishing the Building Official with a written report of such inspection as prescribed herein.

Inspection procedures shall conform, in general, with the minimum inspection procedural guidelines as issued by the Miami-Dade County Board of Rules and Appeals and shall use the guiding principle of Standard SEI/ASCE 11-99, Guidelines for Structural Condition Assessment of Existing Buildings.

Such inspection shall be for the purpose of determining the general structural condition of the building or structure to the extent reasonably possible of any part, material or assembly of a building or structure which affects the safety of such building or structure and/or which supports any vertical or lateral load pursuant to the Florida Building Code.

The required evaluation period shall commence October 1, 2005 for all existing buildings forty (40) years or older. Each successive evaluation period shall be at five (5) year intervals. All buildings, except single-family residences, duplexes and minor structures as defined below, shall be evaluated in the manner described below where such buildings or structures have been in existence for forty (40) years or longer, as determined by the Building Official, who shall at such time, issue a Notice of Required Evaluation to the building owner.

If in the year that the Required Evaluation of Older Buildings is due and it conflicts with Miami-Dade County Recertification Ordinance 75-34, the Miami-Dade County Ordinance 75-34 will prevail. The required evaluation report will not be required until the subsequent five (5) year interval.

For all buildings and structures that are vacant and abandoned, open and unsecured, or closed for occupancy at the time the required evaluation report is due, will be required to

undergo a more intrusive examination as outlined below. For the purpose of this section, vacant and abandoned shall be defined as not inhabited at time of evaluation.

Subsequent evaluation shall be required at five (5) year intervals.

Minor buildings or structures shall, for the purpose of this subsection, be buildings or structures in any occupancy group having an occupant load of ten (10) or less, as determined by table 1003.1 (FBC) Minimum Occupant Load of the Florida Building Code and having a gross area of 2,000 sq. ft. or less.

The owner of a building or structure subject to evaluation shall furnish, or cause to be furnished, within ninety (90) days of Receipt of Notice of Required Evaluation, a written report to the Building Official, prepared by a Professional Engineer registered in the State of Florida, certifying that each such building is structurally safe, or has been made structurally safe for the specified use for continued occupancy, in conformity with the minimum inspection procedural guidelines as required by the evaluation of Older Buildings Ordinance.

Such written report shall bear the impressed seal and signature of the responsible Professional Engineer who has performed the inspection.

Such Professional Engineer shall undertake such assignments only where qualified by training and experience in the specific technical field involved in the inspection and report.

Such report shall indicate the manner and type of inspection forming the basis for the report and description of any matters identified as requiring remedial action.

In the event that repairs or modifications are found to be necessary resulting from the evaluation inspection, the owner shall have a total of 150 days from the date of Notice of Required Evaluation in which to complete indicated repairs or modifications which shall be executed in conformance with all applicable sections of the Building Code. Where emergency stabilization may be found to be necessary by the Professional Engineer, the emergency work shall be undertaken and completed within a reasonable timeframe, not to exceed 30 days.

### **SECTION 3. PRODEDURES AND REQUIREMENTS**

#### **SCOPE OF STRUCTURAL INSPECTION**

The fundamental purpose of the required inspection and report is to confirm in reasonable fashion that the building or structure under consideration is safe for continued use under the present occupancy. As implied by the title of this document, this is a recommended procedure, and under no circumstances are these minimum recommendations intended to supplant proper professional judgment. In general, unless there is obvious overloading, deformation, misalignment, settlement, or significant deterioration of important structural elements, there maybe little need to verify the original design. Most commonly, the structural integrity of a building or structure is considered "time tested" if it is still offering satisfactory performance. Rather, it is of importance that the effects of time with respect to deterioration of the original construction materials be evaluated. It will rarely be possible to visually examine all concealed construction. However, a sufficient number of typical structural members should be examined to permit reasonable conclusions to be drawn.



**Visual Examination** will, in most cases, be considered adequate when executed systematically. Surface imperfections such as cracks, distortion, sagging, excessive deflections, significant misalignment, signs of leakage, and peeling of finishes should be viewed critically as indications of possible structural deficiency.

**Manual Procedures** such as chipping small areas of concrete and surface finishes for closer examinations are encouraged where visual examination alone is deemed insufficient. Generally, unfinished areas of buildings such as utility spaces, maintenance areas, stairwells and elevator shafts should be utilized for such purposes. In some cases, to be held to a reasonable minimum, ceilings or other construction finishes may have to be opened for selective examination of critical structural elements. In that event, such locations should be carefully located to be least disruptive most easily repaired.

Evaluating an existing structure for the effect of time, must take into account two basic considerations: movement of structural components with respect to each other, and deterioration of materials.

With respect to the volume change considerations, principally from ambient temperature changes, possible long time deflections, are likely to be most significant. Foundation movements will frequently be of importance, usually settlement, although upward movement due to expansive soils actually may occur.

#### **INTRUSIVE INVESTIGATION:**

**Testing Procedures** in most cases, where a visual examination has revealed such need, or where apparent loading conditions may be critical, a minimum of five (5) structural members shall be further analyzed to determine the extent of deterioration and what remedial action is necessary to restore the structural members.

Small sections of interior wall cladding must be removed from tie beam areas on representative locations on each floor. The engineer has discretion in selecting the location and number of sections to be removed.

If water damage is visible on a lower floor bathroom ceiling, an inspection opening must be made to determine the condition of the structural members supporting the bathroom above. Pictures are to be included in the report if this condition exists.

If evidence of deterioration of the structural concrete is indicated, additional testing shall be required to include chloride and compressive strength tests.

All repairs of damage to finishes resulting from the destructive investigation are the sole responsibility of the owner.

**REPORT:** Written reports shall be required, attesting to each required inspection. Each such report shall note the location of the structure, description of type of construction, and general magnitude of the structure, the existence of drawings and location thereof, history of the structure to the extent reasonably known, and description of the type and manner of the inspection, noting problem areas and recommending repairs, if required, to maintain structural

integrity. The report shall also note whether the building is occupied, vacant and open to the elements. A narrative shall be included explaining the testing conducted, either non-destructive or destructive. If testing was not conducted, the reasons for not performing tests shall be included.

A written report shall contain a statement to the effect that the building is structurally safe, unsafe, safe with qualifications, or has been deemed safe. It is suggested that each report also include the following information indicating the actual scope of the report and limits of liability. This paragraph may be used:

"As a routine matter, in order to avoid possible misunderstanding, nothing in this report should be construed directly or indirectly as a guarantee for any portion of the structure. To the best of my knowledge and ability, this report represents an accurate appraisal of the present condition of the building based upon careful evaluation of observed conditions, to the extent reasonably possible."

In addition to the report, the following photographs must be submitted with the report to be approved by the City of Miami Beach Building Department. The photographs cannot be digitally reproduced.

- Exterior elevations of the entire structure, when possible.
- The roof.
- The crawl space under building, especially under bathrooms.
- Interstitial space between the ceiling of the top floor and the roof.

Additional photographs may be submitted at the discretion of the engineer.

It is the responsibility of the Professional Engineer conducting the inspection to notify the owner, in writing, of any deficiencies observed.

It is the responsibility of the owner to have the deficiencies corrected and prior to completion, notify the engineer that the deficiencies are corrected.

If, after 180 days from the time of the engineer's notification to the owner, the engineer has not been notified that the deficiencies are corrected, the engineer must notify the Building Department of the deficiencies.

These deficiencies, at the discretion of the engineer, must be classified as "potentially life threatening", such as the observed deficiencies, if not corrected, may lead to a structural collapse.

All corrective work that is required to be completed, must be completed with the appropriate permits being obtained and all mandatory inspections performed as required by the Florida Building Code.

## **VIOLATION AND PENALTIES:**

If the owner of the subject property, in the opinion of the City's Building Official, fails to comply by not submitting the Evaluation Report in the timeframe stipulated or fails to take remedial or

corrective action within the specified time frame, the City's Building Official shall issue a notice of violation granting an additional 30 days for compliance.

In the event that compliance is not achieved within the periods specified in the notice of violation, the Building Official shall schedule the case for hearing before the City of Miami Beach Special Master.

Violation of this article shall be punishable by a civil penalty of up to \$5,000 per day, for each day of non-compliance with this ordinance.

All costs incurred pursuant to any of the provisions of this Section shall be paid by the owner of the building or structure on which the violation occurred.

Any and all liens referenced or imposed hereafter, based on the foregoing provisions, shall be treated as special assessment liens against the subject real property, and until fully paid and discharged, shall remain superior in rank and dignity to all other liens, encumbrances, titles and claims in, to or against the real property involved; the maximum rate of interest allowable by law shall accrue to such delinquent accounts. Such liens shall be enforced by any of the methods provided in Fla. Stat. Ch. 86 or, in the alternative, foreclosure proceedings may be instituted and prosecuted under the provisions applicable to practice, pleading and procedure for the foreclosure of mortgages on real estate set forth in Florida Statutes, or may be foreclosed per Fla. Stat. Ch. 173, or the collection and enforcement of payment thereof may be accomplished by any other method authorized by law. The owner shall pay all costs of collection, including reasonable attorneys fees, incurred in the collection of fees, service charges, penalties and liens imposed by virtue of this section.

#### **SECTION 4. MINIMUM INSPECTION PROCEDURAL GUIDELINES FOR BUILDING STRUCTURAL EVALUATION.**

**SEE ATTACHMENT**

#### **SECTION 5. CODIFICATION**

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

#### **SECTION 6. REPEALER**

All ordinances or part of ordinances in conflict herewith be the same are hereby repealed.

#### **SECTION 7. SEVERABILITY**

If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity or the remaining portions of this ordinance.

**SECTION 8. EFFECTIVE DATE**

This Ordinance shall take effect thirty days following adoption.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO  
FORM AND LANGUAGE  
& FOR EXECUTION

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Date

First Reading:

Second Reading:

Verified by: \_\_\_\_\_  
Hamid Dolikhani, AICP, CBO  
Acting Building Director / Official



# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
www.miamibeachfl.gov



## COMMISSION MEMORANDUM

**To:** Mayor David Dermer and  
Members of the City Commission

**Date:** April 20, 2005

**From:** Jorge M. Gonzalez  
City Manager

**Subject: REPORT OF THE GENERAL OBLIGATION BOND OVERSIGHT  
COMMITTEE MEETING OF MARCH 7, 2005**

The General Obligation Bond Oversight Committee ("Committee") met on March 7, 2005. At the meeting, the Committee considered the following issues.

The Committee reviewed and accepted the minutes from the February 1, 2005 General Obligation Bond Oversight Committee meeting.

### **CONTINGENCY REPORT**

The Administration informed the Committee that no new change orders had been approved since the last meeting. A list of the change orders approved to date is attached as "Exhibit A".

### **DISCUSSION ITEMS**

The Committee discussed the activities currently being performed by the Committee and the nature of what future activities could or should be. At its February meeting, the Committee requested that the Administration present comments and recommendations as to how the Committee could be productive and how the Committee could provide assistance to the Administration and City Commission regarding implementation of the General Obligation Bond fund program.

A review of the Committee's purview and recommendations of future activities of the Committee were provided. The Administration recommended that the Committee's scope and mission remain as it is, with an expanded role in Community Information and Outreach activities and providing assistance in securing additional funding to leverage the existing bond funds.

The Committee will create a smaller sub-committee to further define the Committee's role with regard to Community Information and Outreach activities.

### **PROJECT STATUS REPORT**

The Administration informed the Committee that the **Fire Station No. 2** project is moving along as planned. Structural components are under construction, and the temporary parking lot for the Fire Fighters and Public Works staff was nearing completion.

**Agenda Item** C6A  
**Date** 4-20-05

The Committee was told that the construction of the seawall portion of the **Fire Station No. 4** project was nearing completion. The foundation of the new Fire Station building was under construction.

With regard to the **Normandy Isle Park and Pool** project, the Administration informed the Committee that all documentation for the pool portion had been provided to the Surety as well as a possible replacement contractor for pricing and evaluation. The Surety had stated that they would be issuing an Invitation to Bid within the next thirty (30) days to find a replacement contractor. The Surety is responsible for completing the scope of work included in the former contractor's Construction Contract, as amended through change orders, at the price agreed upon with the former contractor, and the Surety has committed to completing the project. The park portion of the project was being priced, and work should begin shortly.

A Community Design Workshop (CDW) was held early on in the **West Avenue Neighborhood** project, wherein it became evident that the stormwater and water infrastructure components were substantially underfunded. The overwhelming consensus from the residents was to put the project on hold while additional funds were identified. The funds have not yet been identified, and the City has been negotiating with the consultant to provide planning services for a modified scope. These negotiations are still underway, but when they are complete, an amendment will be presented and planning will resume.

The City is negotiating an Interlocal Agreement with Miami-Dade County for the improvements included in the **Venetian Causeway** project. The County will be the lead entity, as the Causeway is a County road. The City will fund some of the improvements to the Causeway that is within the City's boundaries.

With regard to the **Venetian Islands Neighborhood** project, the City has been negotiating with the A/E firm for additional services for further design. The County has asked for revisions to the design with regard to the crosswalks, which is a regulatory issue related to sightline visibility.

The City has worked with the consultant on the **Bayshore Neighborhood** project to revise the scope of the bid packages to move the Sunset Islands I and II areas from Bid Package D to Bid Package B, so that that portion of the neighborhood is not delayed due to the undergrounding efforts of Sunset Islands III and IV. Bid Packages A, B and C have all reached the 30% design level. Bid Package D will be placed on hold until the undergrounding efforts are further defined.

The report on the **Alton Road and Chase Avenue Improvements** was deferred until the April meeting.

#### **INFORMATIONAL ITEMS**

The updated calendar of community meetings was presented to the Committee, but not reviewed during the meeting.

City Commission Memorandum

April 20, 2005

March 7, 2005 General Obligation Bond Oversight Committee meeting

Page 3 of 3

The updated calendar of Committee meetings was presented to the Committee, but not reviewed during the meeting.

Attachment

JMG/RCM/SH/BECH/KLM

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**General Obligation Bond Oversight Committee  
Contingency Report - March 2005**

<b>Project</b>	<b>CO #</b>	<b>Date of Approval</b>	<b>Original Contract Amount</b>	<b>Change Order Amount</b>	<b>Revised Contract Amount</b>	<b>Remaining Contingency</b>	<b>% of Complete (approx.)</b>	<b>Contract Amount Remaining to be Paid</b>	<b># of Days</b>	<b>Purpose</b>
Espanola Way	1	1/24/02	\$761,526.70	(\$1,085.00)	\$760,441.70	\$141,558.30	20%			Value Engineering of curb and gutter to valley gutter
Espanola Way	2	1/24/02	\$760,441.70	\$5,300.00	\$765,741.70	\$136,258.30	20%			Paid from funding outside contingency - additional sidewalk, curb and gutter
Espanola Way	3	1/24/02	\$765,741.70	\$81,650.00	\$847,391.70	\$54,608.30	20%			Add revised sanitary sewer improvements (2 manholes, relief line, Ductile Iron Pipe Sleeves) (originally anticipated)
Espanola Way	4	1/24/02	\$847,391.70	(\$27,845.00)	\$819,546.70	\$82,453.30	20%			Value Engineering of base under sidewalk
Espanola Way	5	1/24/02	\$819,546.70	\$8,568.00	\$828,114.70	\$73,885.30	20%			Revised drainage structures to comply with DERM regulations
Espanola Way	6	6/14/02	\$828,114.70	\$900.00	\$829,014.70	\$72,985.30	42%		0	Adjust Storm Drain due to conflict with FPL Duct Bank
Espanola Way	7	6/14/02	\$829,014.70	\$14,988.00	\$844,002.70	\$57,997.30	42%		0	Concrete work to reduce slopes of plaza to approx. 2%
Espanola Way	8	6/14/02	\$844,002.70	\$13,000.00	\$857,002.70	\$44,997.30	42%		+49	Storm drain modifications to adjust plaza slopes to approx. 2%
Espanola Way	9	10/21/02	\$857,002.70	\$799.00	\$857,801.70	\$44,198.30	65%		0	Loading Zone at Barcelona Hotel, requested and funded by Property Owner
Espanola Way	10	10/21/02	\$857,801.70	(\$1,708.90)	\$856,092.80	\$45,907.20	65%		0	Delete 8 Planters (Owner request)
Espanola Way	11	10/21/02	\$856,092.80	\$5,190.00	\$861,282.80	\$40,717.20	65%		21	Underground Phone and TV cables, requested and funded by property owner
Espanola Way	12	10/21/02	\$861,282.80	(\$100.00)	\$861,182.80	\$40,817.20	70%		0	Credit for error on Change Order # 9
Espanola Way	13	10/21/02	\$861,182.80	\$1,180.00	\$862,362.80	\$39,637.20	70%		0	Water line to Proposed fountain
Espanola Way	14	11/12/02	\$862,362.80	\$720.00	\$863,082.80	\$38,917.20	85%		0	Ramp at Tantra for Dumpster
Espanola Way	15	11/12/02	\$863,082.80	\$512.00	\$863,594.80	\$38,405.20	85%		0	Change Planter Layout (Owner Request)
Espanola Way	16	11/12/02	\$863,594.80	\$2,000.00	\$865,594.80	\$36,405.20	85%		5	Change inlet to Storm drains
Espanola Way	17	12/6/02	\$865,594.80	\$500.00	\$866,094.80	\$35,905.20	90%		0	Additional rain water leaders
Espanola Way	18	12/6/02	\$866,094.80	(\$1,584.50)	\$864,510.30	\$37,489.70	90%		0	Net plant material changes by Landscape Architect
Espanola Way	19	01/21/03	\$861,282.80	\$5,760.97	\$867,043.77	\$31,728.73	99%		7	Added Sidewalk, Curb, & Header at edge of pavers
Espanola Way	20	01/21/03	\$867,043.77	\$2,690.00	\$869,733.77	\$29,038.73	99%		2	Install photoelectric cell control for street lights.
Espanola Way	21	01/28/03	\$869,733.77	\$23,547.35	\$893,281.12	\$5,491.38	100%		4	Pay item quantity adjustments and Added drainage.
Espanola Way			\$893,281.12	(\$6,293.50)	\$886,987.62	\$11,794.88			0	Credit from Contractor for quantity adjustments.
Espanola Way				(\$5,190.00)		\$16,974.88				Contribution from Property Owners for C.O. # 11.
Espanola Way				\$16,589.00		\$385.88				Additional services to A/E for additional Construction Administration (time and scope: \$8,447) and DERM Fee Reimbursement (\$8,142)
Fisher Park	1	8/10/99	\$140,451.04	\$6,874.12	\$147,325.16	\$7,201.39	27%	\$	-	New scope of work for new layout of tot lot & install new fencing
Flamingo Pool	1	9/25/01	\$2,399,800.00	\$53,500.00	\$2,453,300.00	\$239,980.00				Re-route electrical feed
Flamingo Pool	2	10/24/01	\$2,453,300.00	\$20,170.48	\$2,473,470.48	\$219,809.52	40%			relocate FPL underground line to accommodate new pool
Flamingo Pool	3	10/24/01	\$2,473,470.48	\$62,800.00	\$2,536,270.48	\$157,009.52	40%			Add Alternate # 2 - Sunburst Fence (originally anticipated)
Flamingo Pool	4	10/24/01	\$2,536,270.48	(\$8,680.00)	\$2,527,590.48	\$165,689.52	40%			Delete 3 lifeguard chairs and substitute pool coating
Flamingo Pool	5	2/19/02	\$2,527,590.48	(\$11,246.40)	\$2,516,344.08	\$176,935.92	80%		-10	Credit for using existing portion of sanitary sewer lines

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**EXHIBIT A**

**General Obligation Bond Oversight Committee  
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<b>Project</b>	<b>CO #</b>	<b>Date of Approval</b>	<b>Original Contract Amount</b>	<b>Change Order Amount</b>	<b>Revised Contract Amount</b>	<b>Remaining Contingency</b>	<b>% of Project Complete (approx.)</b>	<b>Contract Amount Remaining to be Paid</b>	<b># of Days</b>	<b>Purpose</b>
Flamingo Pool	6	2/19/02	\$2,516,344.08	\$37,503.65	\$2,553,847.73	\$139,432.27	80%		+15	Revised storm system layout to include new drainage well. Installation of support haunches at large pool for structural stability.
Flamingo Pool	7	4/2/02	\$2,553,847.73	\$54,000.00	\$2,607,847.73	\$85,432.27			+10	installation of Spray Deck, included as Add Alternate, requested by Parks (originally anticipated)
Flamingo Pool	8	4/8/02	\$2,607,847.73	\$4,264.48	\$2,612,112.21	\$85,432.27			0	installation of interior signage, taken from signage allowance (originally anticipated)
Flamingo Pool	9	4/30/02	\$2,612,112.21	\$17,874.42	\$2,629,986.63	\$67,557.85		\$ -	+24	furnish/install anchors for swim lines, install 5 umbrella anchors, install electrical conduit/wires and panels for night lighting system
Group A & B Parks										
Island View Park - Ph II	1	1/9/02	\$123,453.48	(\$29,330.00)	\$94,123.48	\$62,348.00	20%			Removal of Shade Pavilion from Scope of Services (at City's request)
All Parks	2	1/28/02	\$94,123.48	\$30,060.00	\$124,183.48	\$28,268.18	30%			Removal of concrete slab at Island View tot lot, upgrade to galvanized steel fencing with electrostatic paint
All Parks	3	3/1/02	\$124,183.48	\$8,703.66	\$132,887.14	\$19,564.52	75%			Addition of columns to fencing, relocation of column, addition of 43 linear feet of fencing to accommodate existing tree route systems
All Parks	4	3/1/02	\$132,887.14	\$0.00	\$132,887.14	\$19,564.52	75%		+45	Time extension due to delay of construction start to accommodate ongoing programming at parks
Crespi Park	5	5/15/02	\$132,887.14	\$6,136.00	\$139,023.14	\$13,428.52	90%	\$ -	0	Installation of specially fabricated sections of fencing to avoid conflict with tree root systems
Island View Park	1	8/4/99	\$192,053.48	\$1,775.79	\$193,829.27					Replace underground pipe for electric service to 2 existing lights
Island View Park	2	12/29/99	\$193,829.27	\$4,044.04	\$197,873.31	\$8,703.16	36%	\$ -	0	Removal of Basketball Court & restoration of area
Marseilles Drive	1	5/19/03	\$1,356,913.00	\$18,613.00	\$1,375,526.00	\$117,078.00	35%		8	Change elevation to drainage structures and pipes.
Marseilles Drive	2	5/19/03	\$1,375,526.00	(\$756.00)	\$1,374,770.00	\$117,834.00	35%		0	Credit for use of a less expensive water pipe material.
Marseilles Drive	3	5/19/03	\$1,374,770.00	\$3,957.00	\$1,378,727.00	\$113,877.00	35%		2	Use of a different material and type for all curb and gutter inlet frames and grates.
Marseilles Drive	4	7/24/03	\$1,378,727.00	\$18,240.00	\$1,396,967.00	\$95,637.00	40%		5	Additional 2" layer of asphalt requested by the Public Works Dept.
Marseilles Drive	5	7/24/03	\$1,396,967.00	(\$4,000.00)	\$1,392,967.00	\$99,637.00	40%		0	Credit for reduced drainage well depth.
Marseilles Drive	6	7/24/03	\$1,392,967.00	\$5,056.00	\$1,398,023.00	\$94,581.00	40%		2	Resolution of a conflict with a water main pipe at Rue Versailles.
Marseilles Drive	7	7/24/03	\$1,398,023.00	\$0.00	\$1,398,023.00	\$94,581.00	40%		4	Additional days for document discrepancies.
Marseilles Drive	8	7/24/03	\$1,398,023.00	\$0.00	\$1,398,023.00	\$94,581.00	40%		1	Additional rain delay.
Marseilles Drive	9	7/24/03	\$1,398,023.00	\$0.00	\$1,398,023.00	\$94,581.00	40%		16	Delay due to FDOT lane closure permit.
Marseilles Drive	10	8/12/03	\$1,398,023.00	\$17,200.00	\$1,415,223.00	\$77,381.00	55%		6	Re-routing of water main pipe at Normandy and Rue Notre Dame to avoid conflict with existing gas main and storm sewer pipe.
Marseilles Drive	11	8/12/03	\$1,415,223.00	\$3,802.00	\$1,419,025.00	\$73,579.00	55%		2	Replacement of existing sanitary sewer pipe at Bay Drive and Marseille.
Marseilles Drive	12	8/12/03	\$1,419,025.00	\$6,080.00	\$1,425,105.00	\$67,499.00	55%		0	Additional 2" layer of asphalt requested by the Public Works Dept. at Rue Versailles.

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**General Obligation Bond Oversight Committee  
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Marseilles Drive	13	8/12/03	\$1,425,105.00	\$6,080.00	\$1,431,185.00	\$61,419.00	55%		0	Additional 2" layer of asphalt requested by the Public Works Dept. at Rue Notre Dame.
Marseilles Drive	14	8/12/03	\$1,431,185.00	\$2,622.00	\$1,433,807.00	\$58,797.00	55%		6	Removal of 95 Ft. of existing curb and gutter and replacement with new valley gutter. Removal of existing grate and replacement at different location due to a change in design at an intersection.
Marseilles Drive	15	8/12/03	\$1,433,807.00	\$1,437.00	\$1,435,244.00	\$57,360.00	55%		1	Added traffic control loop at Rue Versailles and Normandy Drive.
Marseilles Drive	16	8/12/03	\$1,435,244.00	\$5,060.00	\$1,440,304.00	\$52,300.00	55%		5	Existing tree removal at Rue Notre dame due to line of sight.
Marseilles Drive	17	8/12/03	\$1,440,304.00	\$4,613.00	\$1,444,917.00	\$47,687.00	55%		2	Additional storm drainage structure.
Marseilles Drive	18	12/19/03	\$1,444,917.00	\$1,320.00	\$1,446,237.00	\$46,367.00	85%		7	Electrical Service for Irrigation Controller.
Marseilles Drive	19	12/19/03	\$1,446,237.00	\$0.00	\$1,446,237.00	\$46,367.00	85%		0	This Change Order was voided because the CMB declined to install additional street light at Cul-De-Sac.
Marseilles Drive	20	12/19/03	\$1,446,237.00	(\$179.00)	\$1,446,058.00	\$46,546.00	85%		0	Credit for replacing 1#5 Re-Bar with a #3 Re-Bar.
Marseilles Drive	21	12/19/03	\$1,446,058.00	\$11,539.75	\$1,457,597.75	\$35,006.25	85%		10	Re-Construct Rue Versailles to conform revised elevations.
Marseilles Drive	22	12/19/03	\$1,457,597.75	\$21,793.75	\$1,479,391.50	\$13,212.50	85%		38	To install new drainage system along Marseilles Drive, Labor and equipment
Marseilles Drive	23	12/19/03	\$1,479,391.50	\$3,474.00	\$1,482,865.50	\$9,738.50	85%		0	To install new drainage system along Marseilles Drive, material.
Marseilles Drive	24	12/19/03	\$1,482,865.50	(\$438.00)	\$1,482,427.50	\$10,176.50	85%		0	Credit to the CMB for 2-1/2" water meter of Irrigation system.
Marseilles Drive	25	12/19/03	\$1,482,427.50	\$1,716.00	\$1,484,143.50	\$8,460.50	85%		3	Installation of irrigation main line from STA 7+00 to STA 8+10
Marseilles Drive	26	12/19/03	\$1,484,143.50	\$0.00	\$1,484,143.50	\$8,460.50	85%		2	16" water main tied in, Change Order for 2 additional days only.
Marseilles Drive	27	1/7/04	\$1,484,144.75	(\$11,796.00)	\$1,472,348.40	\$20,256.50	90%		0	Deleted work at Cul-De-Sac of Rue Notre Dame.
Marseilles Drive	28	1/7/04	\$1,472,348.40	(\$5,534.50)	\$1,466,813.90	\$25,791.00	90%		3	Deleted Landscape work at Rue Versailles & N. Drive.
Marseilles Drive	29	1/7/04	\$1,466,813.90	(\$1,055.00)	\$1,465,758.90	\$26,846.00	90%		0	Deleted Landscape work at Rue Notre Dame & N. Drive.
Marseilles Drive	30	1/7/04	\$1,465,758.90	\$400.00	\$1,465,358.90	\$26,446.00	90%		1	Additional Sidewalk at East side of R. Notre Dame & N. Drive.
Marseilles Drive	31	1/7/04	\$1,465,358.90	\$622.00	\$1,466,820.90	\$25,784.00	90%		0	Additional Pictures for August, September & October.
Marseilles Drive	32	1/7/04	\$1,466,820.90	\$495.00	\$1,467,315.90	\$25,289.00	90%		1	To Replace Irrigation Backflow Preventer
Marseilles Drive	33	1/7/04	\$1,467,315.90	\$0.00	\$1,467,315.90	\$25,289.00	90%		12	Additional Time for Landscaping, Marking due to Water Meter
Marseilles Drive	34	1/7/04	\$1,467,315.90	\$550.00	\$1,467,865.90	\$24,739.00	90%		2	Repair Brick Pavers at East & West side of Rue Versailles & N. Drive.
Marseilles Drive	35	1/7/04	\$1,467,865.90	\$0.00	\$1,467,865.90	\$24,739.00	90%		6	Additional Time for the Last Lift of Asphalt along Marseilles.
Marseilles Drive	36	1/7/04	\$1,467,865.90	\$3,057.00	\$1,470,922.90	\$21,682.00	95%	\$159,614.97	18	Modification to Service Track plus installation of Electric Meter Can
Normandy Isle Park and Pool	1	9/10/02	\$2,264,000.00	\$1,708.00	\$2,265,708.00	\$218,004.00	0.05%		0	Reimbursement for payment for Removal of FPL facilities from Pool Building
Normandy Isle Park and Pool	2	9/10/02	\$2,265,708.00	\$0.00	\$2,265,708.00	\$218,004.00	0.05%		84	Time delay related to waiting for relocation of County and FDOT facilities
Normandy Isle Park and Pool	3	3/10/03	\$2,265,708.00	\$1,078.00	\$2,266,786.00	\$216,926.00	0.05%		0	Additional work to dig test pits

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Normandy Isle Park and Pool	4	12/10/02	\$2,266,786.00	\$179,000.00	\$2,445,786.00	\$37,926.00	1.00%		0	To reinstate the piling foundation system and concrete deck previously removed during value engineering
Normandy Isle Park and Pool	5	10/7/03	\$2,445,786.00	\$0.00	\$2,445,786.00	\$37,926.00	25%		102	Approved additional 102 days due to negotiations related with the pool deck.
Normandy Isle Park and Pool	6	12/3/03	\$2,445,786.00	\$15,864.98	\$2,461,650.98	\$37,926.00	35%		15	P&R Requested modifications and additions to contract.
Normandy Isle Park and Pool	7	1/14/04	\$2,461,650.98	\$23,488.75	\$2,485,139.73	\$37,926.00	35%		0	To install additional floor drains, Demolish & disposal existing playground, installing P.V.C. for irrigation, Changes along deck level.
Normandy Isle Park and Pool	8	3/8/04	\$2,485,139.73	\$0.00	\$2,485,139.73	\$37,926.00			53	Additional 53 days to Contract time due to expired pool permits plan re-processing.
Normandy Isle Park and Pool	9	3/8/04	\$2,485,139.73	\$12,320.41	\$2,497,460.14	\$25,605.59	47%		0	Installation of additional underground primary and secondary electrical conduits and wiring and relocation of FPL electrical transformer.
Normandy Isle Park and Pool	10	4/8/04	\$2,497,460.14	\$12,270.34	\$2,509,730.48	\$13,335.25	47%		8	Revisions to structural scope by addition of collector tank and extension of the pool pump room.
Normandy Isle Park and Pool	11	4/22/04	\$2,509,730.48	(\$143,750.00)	\$2,365,980.48	\$157,085.25	47%	\$1,214,304.14	-10	Removal of Scope of Work: perimeter fence, landscaping and irrigation on the park portion of the Project.
North Shore Open Space Park - Phase II	1	10/15/02	\$361,651.00	\$300.00	\$361,951.00	\$40,265.00	25%		0	Demolish and dispose two (2) existing vita course stations (not included in original scope)
North Shore Open Space Park - Phase II	2	10/28/02	\$361,951.00	\$1,477.00	\$363,428.00	\$38,788.00	28%		0	Installation of 2 4" sleeves at three locations under the newly installed 15' wide pathway
North Shore Open Space Park - Phase II	3	11/14/02	\$363,428.00	\$2,642.71	\$366,070.71	\$36,145.29	30%		0	re-grading of the areas of the old guard house and along the existing pathway in order to allow a smoother grade/transition
North Shore Open Space Park - Phase II	4	11/14/02	\$366,070.71	\$199.03	\$366,269.74	\$35,946.26	30%		0	Deletion of Asphalt Striping and addition of 1" of asphalt from 79th Street to 81st Street as a means of reinforcing surfacing for anticipated heavy traffic
North Shore Open Space Park - Phase II	5	5/19/03	\$366,269.74	(\$6,770.40)	\$359,499.34	\$42,716.66	100%	\$	0	Credit for 7,440 square feet of defective asphalt.
North Shore Park and Youth Center	1	4/11/02	\$5,659,357.00	\$6,000.00	\$5,665,357.00	\$307,168.00	3%			To hire a locator service to locate and identify underground utilities
North Shore Park and Youth Center	2	4/29/02	\$5,665,357.00	\$4,480.00	\$5,669,837.00	\$302,688.00	5%			To dispose of sports lighting poles and selected foundations (Park Portion)
North Shore Park and Youth Center	3	4/29/02	\$5,669,837.00	\$12,086.00	\$5,681,923.00	\$290,602.00	5%			To provide separate electrical meter services for the Tennis Center as requested by the Parks & Rec. Dept. (Park Portion)
North Shore Park and Youth Center	4	8/5/02	\$5,681,923.00	\$89,776.00	\$5,771,699.00	\$290,602.00	11%		0	To include value engineered items back in the project: different locker construction, alternate door construction and size, alternate wood gymnasium floors and construction of 2 additional tennis courts (originally anticipated). Funded through GO Bond funds reallocated after addition of CDBG funds.

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North Shore Park and Youth Center	5	8/5/02	\$5,771,699.00	\$321,526.00	\$6,093,225.00	\$290,602.00	11%		0	To include sport lighting for the project (originally anticipated). Funded through GO Bond funds reallocated after addition of CDBG funds.
North Shore Park and Youth Center	6	8/9/02	\$6,093,225.00	\$61,965.00	\$6,155,190.00	\$228,637.00	15%		0	To provide 6 storm drain retention tanks to meet DEP requirements.
North Shore Park and Youth Center	7	8/21/02	\$6,155,190.00	\$21,076.00	\$6,176,266.00	\$207,561.00	18%		0	To relocate the and upgrade the existing FPL Transformer
North Shore Park and Youth Center	8	10/24/02	\$6,176,266.00	\$10,939.00	\$6,187,205.00	\$196,622.00	30%		24	Relocation of 5 pigeon plums as requested by DERM and additional exit lights within the Tennis Center as requested by The Building Department
North Shore Park and Youth Center	9	11/13/02	\$6,187,205.00	\$38,872.00	\$6,226,077.00	\$196,622.00	38%		0	Additional 2 clay tennis courts for total of 12 courts. Funding came from North Beach Quality of Life/Resort Tax Fund
North Shore Park and Youth Center	10	1/8/03	\$6,226,077.00	\$1,403.00	\$6,227,480.00	\$195,219.00	50%		108	Cost for stand alone fire alarm system for Tennis Center (\$7,830), credit for changes to main sewer line (-\$2,027.52), and raising top of footing elevation at Youth Center and Gymnasium (-\$4,400)
North Shore Park and Youth Center	11	1/8/03	\$6,227,480.00	\$11,447.00	\$6,238,927.00	\$183,772.00	50%		0	Additional exit signs for Tennis Center (\$1,857) and reconfiguration of storm drainage system (9,590)
North Shore Park and Youth Center	12	1/8/03	\$6,238,927.00	\$28,548.00	\$6,267,475.00	\$155,224.00	50%		0	Additional data services requested by owner, upgrade of window color, and location of a drain at practice tennis court
North Shore Park and Youth Center	13	2/14/03	\$6,267,475.00	\$6,272.00	\$6,273,747.00	\$148,952.00	55%			Additional phone conduit & receptacle (owner request), concrete pad for FPL electric transformer, and structural change to support A/C ducts in Gym north wall
North Shore Park and Youth Center				(\$38,590.00)		\$187,542.00				Funding Added by Parks and Recreation for Change Orders
North Shore Park and Youth Center	14	5/19/03	\$6,273,747.00	\$30,464.00	\$6,304,211.00	\$157,078.00	75%		0	1. Provision of gypsum drywall ceiling for Tennis Center restrooms-\$1,290; 2. Inclusion of Value Eng. Item 16R - \$17,754; 3. Exterior paint color sample -\$237; 4. Removal of trees \$1,881.25; 5. Additional 4" roof drain-\$1,616; 6. Tennis court irrigation line \$3,773; 7. Additional roof insulation-\$1,773.75; 8. Two(2) 2" PVC Duct Bank- \$2,138.60
North Shore Park and Youth Center	15	6/10/03	\$6,304,211.00	\$66,464.00	\$6,370,675.00	\$90,614.00	75%		20	1.Drop ceiling in Tennis Center- \$748; 2. Provision of access ladder to access the roof \$3,333; 3. Construction of 4 dugouts-\$57,502; 4. Installation of additional strobe lights- \$4,881. Additional 20 days was granted for construction of dugouts.
North Shore Park and Youth Center	16	7/15/03	\$6,370,675.00	\$24,045.00	\$6,394,720.00	\$66,569.00	75%		31	1. Relocation of 2 light poles at the Tennis Center \$12,220 - 2. Addition of 6 area drains on the north side of the Tennis court area to introduce an underground drainage system.

**General Obligation Bond Oversight Committee  
Contingency Report - March 2005**

<b>Project</b>	<b>CO #</b>	<b>Date of Approval</b>	<b>Original Contract Amount</b>	<b>Change Order Amount</b>	<b>Revised Contract Amount</b>	<b>Remaining Contingency</b>	<b>% of Project Complete (approx.)</b>	<b>Contract Amount Remaining to be Paid</b>	<b># of Days</b>	<b>Purpose</b>
North Shore Park and Youth Center	17	7/15/03	\$6,394,720.00	\$7,750.00	\$6,402,470.00	\$58,819.00	75%		10	1. Sidewalk addition to provide access to the entry ramps south of the building - \$7,075; 2. Addition of sprinkler heads requested by Fire Inspector - \$1,753; 3. Credit for deletion of stucco at Youth Center West wall - (\$1,078). Contract time will be increased 10 days for Phase 3 and 31 days for Phase 2.
North Shore Park and Youth Center	18	8/25/03	\$6,402,470.00	\$6,219.00	\$6,408,689.00	\$52,600.00	85%		0	Four picket gates at North and South Entrances not shown on contract documents.
North Shore Park and Youth Center	19	8/25/03	\$6,408,689.00	\$19,298.00	\$6,427,987.00	\$33,302.00	85%		0	Install two rain water scuppers and additional roofing at West Entrance. Enclosure of ductwork a gymnasium.
North Shore Park and Youth Center				(\$102,750.00)		\$136,052.00				Funding Added by Parks and Recreation for Change Orders
North Shore Park and Youth Center	20	4/23/04	\$6,427,987.00	\$17,541.00	\$6,445,528.00	\$118,511.00	95%		162	Credit for Underground Utility Exploration from CO #1 (- \$5,760.00), Provide a 4" diam. Water meter (\$14,420.00), Additional Fire Alarm devices as required by Fire Inspection (\$3,413.00), Sign for South Entrance (\$991.00), Removal of trees from West baseball field (\$3,210.00). Additional 162 day time extension for Phase I only. Net Current Days are for Phase I: 320, Phase II: 61, and Phase III: 60.
North Shore Park and Youth Center	21	4/23/04	\$6,445,528.00	\$21,065.00	\$6,466,593.00	\$97,446.00	95%	\$ 794,688.00	15	Interior Paint at Stair 2 (\$1,393.87), Temporary Power Reimbursement to GC (\$4,286.39), Additional fire Sprinkler Valve for Elevator Shaft (\$1,013.73), Electrical Service SE Field Water Fountain (\$1,902.01), Street Cuts North Entrance (\$4,701.33), Water Fountain Backflow Valve (\$636.69), Landscape Credit (- \$1,841.00), Single Phase 220V for Elevator (\$1,597.72), Restroom Vanities Counter Supports (\$1,454.48), Water Fountain ADA Compliance (\$1,491.69). Job Site Security during FTAA as requested by City (\$4,428.00).
North Shore Park and Youth Center		5/26/04		(\$120,000.00)		\$217,446.00				City Commission Added \$120,000 in funding for Change Orders
North Shore Park and Youth Center	22	7/21/04	\$6,466,593.00	\$127,087.00	\$6,593,680.00	\$90,359.00	98%	\$ 329,684.20	0	Items required due to Building Department inspections required for Final CO and Owner's Punch List: Electrical (\$1,785), Irrigation breaker (\$363), Baseball Field Maintenance Gates (\$1,274), Elevator Room's Electrical and Fire Protection changes (\$29,927), Supervision fees (\$27,360), Performance Bond (\$18,230), Changes to West Plaza (\$14,046), Bracing at Shower Stalls (\$4,176), Additional Roof Scuppers and dampers (\$5,062), Wood thresholds (\$2,347), HVAC Mold Test (\$1,300), Glass railing at Teen's Room (\$9,922), Shuffle Board Permit Processing fee (\$1,598), Various items at Gym, including metal shields, wood nosing, paint, additional fire alarm devices (\$9,697).

**General Obligation Bond Oversight Committee  
Contingency Report - March 2005**

<b>Project</b>	<b>CO #</b>	<b>Date of Approval</b>	<b>Original Contract Amount</b>	<b>Change Order Amount</b>	<b>Revised Contract Amount</b>	<b>Remaining Contingency</b>	<b>% of Project Complete (approx.)</b>	<b>Contract Amount Remaining to be Paid</b>	<b># of Days</b>	<b>Purpose</b>
North Shore Park and Youth Center	23	10/6/04	\$6,593,680.00	\$11,942.00	\$6,605,622.00	\$78,417.00	98%	\$ 329,684.20	0	Items required due to Building Department inspections required for Final CO and Owner's Punch List: Additional overflow roof scuppers (\$3,580.50), Installation of safe boxes (\$630.00), Additional Gates at North Baseball Field (\$1,239.50), Window Testing at Storefronts (\$1,182.00), and Elect/Mech Changes to Mech. Room 136 (\$5,310.00).
Scott Rakow Youth Center	1	1/16/02	\$2,845,700.00	\$47,300.00	\$2,893,000.00	\$0.00	10%		0	Alternates 1, 2 and 4 for Phasing plan, outdoor rubber flooring and landscaping
Scott Rakow Youth Center	2	N/A	\$0.00	\$0.00	\$0.00	\$0.00	0%		0	VOIDED
Scott Rakow Youth Center	3	2/19/02	\$2,893,000.00	\$0.00	\$2,893,000.00	\$0.00	30%		89	89 day time extension
Scott Rakow Youth Center	4	2/19/02	\$2,893,000.00	(\$36,008.00)	\$2,856,992.00	\$0.00	50%		0	Delete elevator and folding partitions
Scott Rakow Youth Center	5	5/21/02	\$2,856,992.00	\$29,700.00	\$2,886,692.00	\$250,000.00	60%		0	Relocate utilities, additional electrical service to ice rink, reroute Bell South underground service
Scott Rakow Youth Center	6	9/24/02	\$2,886,692.00	\$36,008.00	\$2,922,700.00	\$213,992.00	70%		0	Adding back in the elevator and folding partitions
Scott Rakow Youth Center	7	9/24/02	\$2,922,700.00	\$160,594.77	\$3,083,294.77	\$53,397.23	70%		0	Rerouting storm pipe, additional fire devices and fixtures, repairs to broken water main, remobilization for auger cast piles, paint locker room walls and ceilings, relocation of pedestrian crossing signal, repair of BellSouth lines, repair concrete beams, Zamboni water heater, Water Absorption Tank and monitoring system, rerouting conduit, HVAC unit roof frame, delete basketball court floor replacement work, new foundation for north stairs, modifications to roof and roof structure
Scott Rakow Youth Center	8	11/8/02	\$3,083,294.77	\$9,306.25	\$3,092,601.02	\$4,166.00 *	80%		0	Installation of louvered door at mechanical room
* Specific costs were paid out of project contingency to FPL, Bell South, PSI Geotechnical, Threshold Inspector. These costs were not paid through the contractor and therefore would not be a part of a change order to the Contractor.										
Scott Rakow Youth Center	9	1/8/03	\$3,092,601.02	(\$21,016.08)	\$3,071,584.94	\$25,182.08	85%		0	Credit for security guard services and ammonia monitoring system. System will be monitored through Fire Alarm panel.
Scott Rakow Youth Center	10	1/8/03	\$3,071,584.94	\$11,844.81	\$3,083,429.75	\$13,337.27	85%		0	Electrical wiring modifications for existing pool and restrooms; furnish and install new light fixture at entrance; furnish and install new 480v/60amp electrical feeder for new water heater and pump at Zamboni room
Scott Rakow Youth Center	11	2/25/03	\$3,083,429.75	\$2,950.11	\$3,086,379.86	\$110,387.16	85%		0	Work required for fire alarm panel relocation, and addition of strobe and horn for ammonia leak detection device. \$100,000 was added to the project contingency.

**General Obligation Bond Oversight Committee  
Contingency Report - March 2005**

<b>Project</b>	<b>CO #</b>	<b>Date of Approval</b>	<b>Original Contract Amount</b>	<b>Change Order Amount</b>	<b>Revised Contract Amount</b>	<b>Remaining Contingency</b>	<b>% of Project Complete (approx.)</b>	<b>Contract Amount Remaining to be Paid</b>	<b># of Days</b>	<b>Purpose</b>
Scott Rakow Youth Center	12	4/4/03	\$3,086,379.86	\$10,406.70	\$3,096,786.56	\$99,980.46	85%		0	Relocation of electrical equipment, installation of panic hardware at ice rink entrance doors, and automation of ice rink equipment room fan with ammonia detection panel.
Scott Rakow Youth Center	13	6/30/03	\$3,096,786.56	\$39,860.58	\$3,136,647.14	\$60,119.88	90%		0	Installation of new louver and ductwork to maintain fresh air intake at existing mechanical room, installation of new emergency exit lights, new 42" railing at entry ramp area, additional conduit and wiring to connect ice rink equipment room exhaust fan to fire alarm panel.
Scott Rakow Youth Center	14	8/7/03	\$3,136,647.14	(\$4,500.00)	\$3,132,147.14	\$64,619.88	90%	\$580,162.93	0	Credit for deletion of 4-foot concrete sidewalk along Pine Tree Drive.
Tatum Park	1	2/23/00	\$341,518.36	\$50,987.25	\$392,505.61					new basketball court (originally anticipated)
Tatum Park	2	2/23/00	\$392,505.61	\$33,012.05	\$425,517.66	\$4,477.89	81%			sports and security lighting (originally anticipated)
Tatum Park	3	11/1/01	\$425,517.66	(\$1,800.00)	\$423,717.66	\$6,277.89	100%	\$	-	Contractor's portion of Safety Surface Installation



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# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
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## COMMISSION MEMORANDUM

To: Mayor David Dermer and  
Members of the City Commission

Date: April 20, 2005

From: Jorge M. Gonzalez  
City Manager

Subject: **REPORT OF THE FINANCE AND CITYWIDE PROJECTS COMMISSION  
COMMITTEE MEETING OF MARCH 9, 2005.**

A meeting of the Finance and Citywide Projects Commission Committee (Committee) was held on March 9, 2005 at 2:49 p.m. in the City Manager's Large Conference Room.

### NEW BUSINESS:

1. Discussion regarding the City's plans for street improvements.

### ACTION

Item Deferred.

2. Discussion regarding the Colony Theatre (Theatre) Project.

### ACTION

**The Committee moved the item to the full Commission. The Committee also directed the Administration to obtain a price quote for inclusion of the restoration of the theatre restrooms into the Guaranteed Maximum Price (GMP).**

City Manager Jorge M. Gonzalez introduced and summarized the item. Mr. Gonzalez stated that approximately one year ago the Committee and subsequently the City Commission approved adoption of a GMP contract for the restoration of the Theatre.

Mr. Gonzalez added that at the Committee and Commission meetings the contractor, architect and a representative from the State of Florida Department of Management Services (DMS) advised the Committee and Commission that the funding requested would be sufficient to complete the project and that they did not anticipate any future change orders.

Mr. Gonzalez added that the contractor, architect, and DMS are here today before the Committee requesting additional funding for change orders as a result of unforeseen conditions that were not known at the time the original GMP was signed. He added that additional funds requested by the contractor, architect, and DMS were originally substantially higher, but the Administration has been able to successfully negotiate an amount that staff feels is a fair settlement and an amended agreement that stipulates the following:

Agenda Item C6B  
Date 4-20-05

- A substantial completion date of August 10, 2005, which shall not be subject to modification by change order.
- A final completion date of September 9, 2005, which shall not be subject to modification by change order.
- A paperwork timeline which forms part of the agreement.
- A final schedule which forms part of the agreement.
- Liquidated damages in the amount of \$1,000/day for each and every calendar day elapsing between the date fixed for substantial completion (August 10, 2005) and the date for which substantial completion shall be fully accomplished.
- Liquidated damages shall be payable to the owner in addition to any excess expenses or costs payable by the Construction Manager to the Owner.

Mr. Gonzalez stated that if approved, the new GMP would be approximately \$6.4 million for what was originally a \$1.5 million project concept plan. Mr. Gonzalez added that funds are available for the project from City Center Redevelopment Agency Tax Incremental Revenues. He also stated that after negotiations between staff, the contractor, the architect, and the DMS, the Administration recommends that this new Agreement with the new provisions and the final Guaranteed Maximum Price be approved in order to complete the Colony Theater Renovation and Restoration, and the required funding be appropriated.

Commissioner Saul Gross stated that he recalls Mr. Tim Hemstreet, former Capital Improvement Projects Office Director, stating at last years Committee meeting that this project could still have additional change orders as a result of unforeseen items.

Chairman Jose Smith expressed his concerns with the project and the possibility that parties involved would come back and request another change order not included in the GMP.

Mr. Richard Heisenbottle, architect of record for the project, and Mr. Sheldon McCartney, contractor for the project, addressed the Committee and elaborated on the history and current conditions of the project that have lead to the change orders and the new requested GMP.

Commissioner Gross stated that he trusts Mr. Hemstreet and Mr. Jorge E. Chartrand, Interim Capital Improvement Projects Office Director, and if they agree that this is the best deal we can negotiate for the necessary work, than a motion to move this item is in order.

Mr. Heisenbottle added that the theatre restrooms were never included in the scope of the project, so the end result will be a beautiful new theatre with older looking restrooms.

Mr. Gonzalez replied that he would like to explore the possibility of pricing and funding the restrooms.

The Committee members were in agreement that the restrooms should be priced and possibly included as part of the project.

## **OLD BUSINESS**

### **3. Discussion regarding the Shane Watersports Center.**

#### **ACTION**

**The Committee moved the item to the full Commission, recommending approval of the proposed item with the stipulation that if any operational parking issues develop at the parking lot, the item will be revisited.**

Parking Director Saul Frances introduced and summarized the item. Mr. Frances stated that at the December 14, 2004 Committee meeting the Administration was instructed to bring back to the Committee a proposed solution to the parking issues at the Shane Watersports Center (Center), which addressed the following areas:

- Allowing users of the Rowing Center free usage of the parking lot; and
- Providing an attended parking lot for specials events at the Center; and
- Funding the proposed parking and landscape improvements; and
- Seeking public input from the surrounding neighborhood.

Mr. Frances stated that since the above-mentioned Committee meeting, the Administration has met with representatives from the Center and both parties have agreed to the following provisions:

1. The City will improve the parking lot as designed.
2. The Center will supply the landscaping.
3. The members of the Center will obtain parking hangtags free of charge.
4. During major Center events (i.e. regattas) and peak usage by visiting crews, the lot may be closed to the public. Advanced notice must be supplied to the City by the Center.
5. During affairs not dealing with water sports, the Center may obtain reserved parking at a cost to be determined.
6. Hangtags will be provided in six-month intervals.
7. The Administration will hold a community meeting on February 7, 2005 at the Transportation and Parking Committee (TPC) where adjacent property owners and the general public will be invited to attend.

Mr. Frances added that the TPC held their publicly noticed meeting and voted to endorse the aforementioned provisions contingent upon the following:

- The Center serve as an election polling site with parking availability for voters; and
- The 63<sup>rd</sup> Street Flyover construction should no way impact the operation and/or viability of the Center parking lot.

Mr. Ronald Shane, representative for the Center, addressed the Committee and expressed the Center's approval of the proposed agreement.

Vice-Chairman Richard L. Steinberg asked what terms had been proposed for the agreement. Mr. Shane replied that he would envision the terms of the proposed agreement to coincide with the duration of the Center lease.

#### **4. Discussion regarding the Parking System Capital Budget/Walker Parking Plan.**

##### **ACTION**

**The Committee moved the item to the full Commission for discussion.**

Mr. Frances introduced and summarized the item. He stated that this item was being presented for discussion purposes as the Administration was instructed to return to a future Committee meeting with a list of prioritized viable sites which maximize the inventory of parking in the City.

Mr. Frances added that the Administration is recommending that the North Beach area be prioritized using the following four prong approach:

1. Furthering of joint venture discussions with City National Bank, which owns two sites (410-71<sup>st</sup> Street and 6970 Harding Avenue). Both sites afford creative opportunities for land swaps and joint venture development;
2. Furthering joint venture discussions with the Wasserstein-Washington Mutual drive-thru site. This site and the adjacent municipal parking lot provide excellent opportunities that should be explored;
3. Acquisition of vacant parcels for surface parking. Various parcels in the North Beach area are not large enough to accommodate vertical parking structures, however, these parcels as surface parking lots would provide much needed relief to the commercial and residential parking demand in the area; and,
4. Pursue capital improvements to the existing parking lots located on Collins Avenue between 79<sup>th</sup> and 84<sup>th</sup> Streets and between 75<sup>th</sup> and 76<sup>th</sup> Streets.

Mr. Frances added that for the Cultural Campus area the Administration would recommend acquiring an interest in or the acquisition of a strategically located property that will serve the varying uses.

Committee members inquired about a number of vacant lots situated throughout Miami Beach and their appropriateness and availability as a parking lot or structure.

Commissioner Matti H. Bower requested a map be provided the next time this item will be presented.

Committee members expressed their desire for the entire Commission to discuss this item.

#### **5. Discussion regarding the Miami Beach Community Health Center.**

##### **ACTION**

##### **Discussion Item – No Action Necessary**

Commissioner Bower introduced and summarized the item. Commissioner Bower introduced and stated that Dr. Martin Karp, Miami-Dade County Public Schools Board Member, was in attendance. She stated that the current financial situation in which the

Miami Beach Community Health Center (MBCHC) initiatives, which provided medical and nursing care to needy children in Miami Beach, have reached a critical stage. She added that the Nautilus School Clinic might have to close because of a lack of funding. She stated that she has met with the Children's Trust in an effort to seek support for keeping the much-needed clinics open and that the Feinberg Fisher Elementary School Clinic would have to close in June because of funding shortages.

Commissioner Bower further added that the City has committed to help fund some of the short-term shortages at the clinic, but a long-term funding model needs to be established.

Ms. Olga Figueras, Feinberg Fisher Elementary School Principal, addressed the Committee. Ms. Figueras spoke of a model that she is contemplating establishing at Feinberg Fisher in which their clinic would service all school children in Miami Beach through a feeder system. Ms. Figueras stated that with this model, operating costs for MBCHC would be reduced because only one fully staffed clinic needs to be maintained open. Ms. Figueras stated that her clinic has the capacity to provide service to all Miami Beach children.

Chairman Smith asked if a budgetary plan was yet in place.

Commissioner Bower stated that a plan is in the works, but commitments from different funding entities are needed.

Dr. Karp stressed that the School Board is going to make a commitment to this district-wide issue.

Commissioner Smith asked Dr. Karp what role the City of Miami Beach could play in this situation.


Dr. Karp stated that the City could become a funding partner for the clinic.

Mr. Gonzalez stated that the immediate short-term dilemma is the impending closure of the Nautilus School Clinic. Mr. Gonzalez added that the long-term solution might involve the model proposed by Ms. Figueras. He added that funding from the Children's Trust is an avenue to explore. As per agreement with the City, funds received by the Trust from the City must be spent on Miami Beach Projects and added that the School Board needs to do something relatively fast, as in August the new school term is scheduled to begin again.

Ms. Kathy Abbate from the Miami Beach Community Health Clinic spoke about the potential funding shortages.

Dr. Karp stated that this issue would be heard before his Board.

Commissioner Bower encouraged Miami Beach constituents to write to their elected officials and bring this issue to the forefront.

JMG/PDW/mim   
T:\AGENDA\2005\April 20, 2005\CONSENT\Fin & CW 03-09-05

# ATTENDANCE SHEET

## MEETING OF THE FINANCE AND CITYWIDE PROJECTS COMMISSION COMMITTEE

DATE: - MARCH 9, 2005 TIME: - 2:30 PM

PLEASE STATE YOUR NAME WHEN SPEAKING TO THE COMMITTEE - THANK YOU

PLEASE PRINT NAME	BUSINESS NAME & PHONE
Olga M. Figueras	MDCPS - Fienberg Fisher <sup>305-531-</sup> 6419
Maria Zabala	Fienberg Fisher Elem 305 531-0419
Felix Muñoz	Fienberg Fisher Elem. 305.531.0419
SHELDON MC CARTNEY	MC CARTNEY CONSTRUCTION <sup>974-</sup> 689.7870
GENE McCAMPBELL	DEPT. OF MANAGEMENT SVCS
ELAINE RODEN	SHANE WATERSPORTS 305 861 8876
MANNY MARQUEZ	CMB - FINANCE X 6383
LUZ MARIA CICCIA	
RICHARD J. HEISENBOTTLE	<sup>305-446-7799 EXT. 14</sup> R.J. HEISENBOTTLE ARCHITECT
RONNIE SPRINGER	CID 673-7071
Ira Nuisbaum	Shane watersports center
Ronald Shane	shane watersports center
Michael Gonzalez	OFFICE of DR MARTIN KARP
MARTIN KARP	<sup>305-</sup> SCHOOL BD - MDCPS <sup>995-</sup> <sup>1334</sup>
Anthony Albente	MB Community Health Center
SAUL FRANCES	CMB Packing Dept (305) 673-7000 x 6453
GABRIELLE REDFERN	Neighbors4GABRIELLE.COM 305 205 3213

# ATTENDANCE SHEET

2/2

## MEETING OF THE FINANCE AND CITYWIDE PROJECTS COMMISSION COMMITTEE

DATE: - MARCH 9, 2005 TIME: - 2:30 PM

PLEASE STATE YOUR NAME WHEN SPEAKING TO THE COMMITTEE - THANK YOU

PLEASE PRINT NAME	BUSINESS NAME & PHONE
Richard Struberg	7103 CMB Comm.
Matti Bowes	CMB COMM.
JOSE SMITH.	11 11
JOE FONTANA	C. & H O. ALLIANCE
JORGE M. GONZALEZ	CMB CMO
TIM HEMSTREET	11 11
ROBERT MIDDAUGH	11 11
PATRICIA WALKER	11 FIN. - CFO
JORGE CHARTRAND	11 CIP
KRISTIN MCKEW	11 11
DIANA TRETIN	11 11
FRED BECKMAN	11 Public Works
ROBERT HALFILL	11 11 11
KATHIE BROOKS	11 OBPI



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# CITY OF MIAMI BEACH

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## COMMISSION MEMORANDUM

**To:** Mayor David Dermer and  
Members of the City Commission

**Date:** April 20, 2005

**From:** Jorge M. Gonzalez  
City Manager

**Subject: REPORT OF THE MARCH 28, 2005 - LAND USE AND DEVELOPMENT  
COMMITTEE MEETING**

A meeting of the Land Use and Development Committee was held on Monday, March 28, 2005 at 4:00 p.m. in the Mayor's Conference Room. The following were in attendance: Mayor David Dermer, Commissioners Saul Gross, Matti Herrera Bower, Jose Smith, and Richard Steinberg.

1. **DISCUSSION REGARDING UPDATING ADA CODE TO INCLUDE INNOVATIVE FORMS OF VEHICLES – JACKSONVILLE ORDINANCE.** Referred at the October 13, 2004 City Commission Meeting. Discussed at the January 11, 2005 Land Use Committee Meeting.

Item deferred to the April Land Use meeting.

2. **DISCUSSION REGARDING LONG TERM STORAGE OF PODS.** Referred at the February 23, 2005 City Commission meeting.

The Committee reviewed articles regarding various municipalities' responses to the issue of mobile storage units, and a draft of a proposed ordinance which would limit the time a mobile storage unit could be placed in single family areas. After discussion, the committee directed Planning Department staff to continue to refine the ordinance, with a seven (7) day time limit, the requirement for the storage unit company to notify the City of placement of the pods, requiring the seven day time limit to be shown in the contract with the customer, and a requirement to remove the unit in case of a hurricane watch. Revised ordinance to be referred to Planning Board.

3. **DISCUSSION REGARDING PROPOSED ORDINANCE REGARDING DEMOLITION PROCEDURES FOR NON-DESIGNATED STRUCTURES.** Referred at the March 16, 2005 City Commission Meeting.

On March 28, 2005, the Land Use and Development Committee endorsed the proposed Ordinance pertaining to "Demolition Procedures for Non-Designated Structures", with the following modifications:

- In the event the Historic Preservation Board is requested to instruct the Planning Department to prepare a designation report and/or implement interim procedures for demolition permits, the property owner shall be immediately notified in writing.

**Agenda Item** CGC  
**Date** 4-20-05

- The planning director, or designee, may prepare and submit to the Historic Preservation Board an evaluation and recommendation for designation at a meeting noticed in a newspaper of general circulation at least five (5) days in advance of the hearing.
- The City Commission shall be advised, via an LTC, of any action of the Historic Preservation Board directing the Planning Department to prepare a designation report. A copy of the proposed initial boundaries, as well as the preliminary evaluation, shall be attached to the LTC.
- The City Commission may, by a 5/7 vote, either modify or deny a request for designation, within 60 days from the date of the vote of the Historic Preservation Board instructing staff to prepare a designation report.
- These interim procedures shall not be applicable to the individual designation of single-family homes located in single-family zoning districts.

JMG/TH/JGG/rar

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# LAND USE AND DEVELOPMENT COMMITTEE

March 28, 2005 at 4:00 p.m.

Mayor's Conference Room

## Attendance Sheet

NAME	E-MAIL ADDRESS	CONTACT NUMBERS	FAX NUMBER
1. Comm. Smith	@		
2. Comm. Steinberg	@		
3. Gary Held	@		
4. Jorge Gomez	@		
5. Comm. Boxer	@		
6. Dolores Mejia	@miamibeachfl.gov	ext. 6834	673-7096
7. ACHWEINSTEIN	@Sunpost		
8. Richard Lorber	@miamibeachfl.gov	6131	
9. Rachel Lee	@	6222	
10. John Heffernan	@miamibeachfl.gov	6457	
11. <del>AA</del>	@		
12. Saul Brown	@	7104	
13. Mayor Derner	@		
14. William Gary	@		
15. Thomas Mahoney	@		
16.	@		
17.	@		
18.	@		
19.	@		
20.	@		

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# CITY OF MIAMI BEACH

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## COMMISSION MEMORANDUM

**To:** Mayor David Dermer and  
Members of the City Commission

**Date:** April 20, 2005

**From:** Jorge M. Gonzalez  
City Manager

**Subject: REPORT OF THE GENERAL OBLIGATION BOND OVERSIGHT  
COMMITTEE MEETING OF April 4, 2005**

The General Obligation Bond Oversight Committee ("Committee") met on April 4, 2005. At the meeting, the Committee considered the following issues.

The Committee reviewed and accepted the minutes from the March 7, 2005 General Obligation Bond Oversight Committee meeting.

### **CONTINGENCY REPORT**

The Administration informed the Committee that no new change orders had been approved since the last meeting. A list of the change orders approved to date is attached as "Exhibit A".

### **PROJECT STATUS REPORT**

The Administration informed the Committee that the **Fire Station No. 2** project is moving along as planned. Structural components are under construction, and the temporary parking lot for the Fire Fighters and Public Works staff was nearing completion.

The Committee was told that the construction of the seawall portion of the **Fire Station No. 4** project was nearing completion. The foundation of the new Fire Station building was under construction.

With regard to the **Normandy Isle Park and Pool** project, the Administration informed the Committee that all documentation for the pool portion had been provided to the Surety as well as a possible replacement contractor for pricing and evaluation. The Surety had stated that they would be issuing an Invitation to Bid to find a replacement contractor. The Surety is responsible for completing the scope of work included in the former contractor's Construction Contract, as amended through change orders, at the price agreed upon with the former contractor, and the Surety has committed to completing the project. The park portion of the project was being priced, and work should begin shortly.

Pursuant to the Committee's request, the Administration provided the Committee with an update on the conditions of the **Dade Boulevard bridge**. This bridge is part of Miami-Dade County's purview. The existing conditions, such as the holes in the sidewalk, have been reported to the County for repairs. If repairs are not made by the County in a reasonable timeframe, the City will make the repairs and seek reimbursement from the County.

**Agenda Item** CGD  
**Date** 4-20-05

April 20, 2005

April 4, 2005 General Obligation Bond Oversight Committee meeting

Page 2 of 2

The Administration reported that the **Alton Road and Chase Avenue Improvements** were complete. The signage had been placed with regard to turning restrictions.

**INFORMATIONAL ITEMS**

The updated calendar of community meetings was presented to the Committee, but not reviewed during the meeting.

The Committee was advised of which members represented which of the 13 positions on the Committee, and where there were vacancies.

The Committee accepted the Administration's recommendation to appoint a sub-committee to further define the expanded role the Committee will play in the Community Information and Outreach efforts of the Administration.

Attachment

JMG/RCM/SP/BECH/KLM

T:\AGENDA\2005\Apr2005\Consent\4-4-05 GO Bond Meeting Summary Minutes.doc

**General Obligation Bond Oversight Committee**  
**Contingency Report - April 2005**

<b>Project</b>	<b>CO #</b>	<b>Date of Approval</b>	<b>Original Contract Amount</b>	<b>Change Order Amount</b>	<b>Revised Contract Amount</b>	<b>Remaining Contingency</b>	<b>% of Project Complete (approx.)</b>	<b>Contract Amount Remaining to be Paid</b>	<b># of Days</b>	<b>Purpose</b>
Espanola Way	1	1/24/02	\$761,526.70	(\$1,085.00)	\$760,441.70	\$141,558.30	20%			Value Engineering of curb and gutter to valley gutter
Espanola Way	2	1/24/02	\$760,441.70	\$5,300.00	\$765,741.70	\$136,258.30	20%			Paid from funding outside contingency - additional sidewalk, curb and gutter
Espanola Way	3	1/24/02	\$765,741.70	\$81,650.00	\$847,391.70	\$54,608.30	20%			Add revised sanitary sewer improvements (2 manholes, relief line, Ductile Iron Pipe Sleeves) (originally anticipated)
Espanola Way	4	1/24/02	\$847,391.70	(\$27,845.00)	\$819,546.70	\$82,453.30	20%			Value Engineering of base under sidewalk
Espanola Way	5	1/24/02	\$819,546.70	\$8,568.00	\$828,114.70	\$73,885.30	20%			Revised drainage structures to comply with DERM regulations
Espanola Way	6	6/14/02	\$828,114.70	\$900.00	\$829,014.70	\$72,985.30	42%		0	Adjust Storm Drain due to conflict with FPL Duct Bank
Espanola Way	7	6/14/02	\$829,014.70	\$14,988.00	\$844,002.70	\$57,997.30	42%		0	Concrete work to reduce slopes of plaza to approx. 2%
Espanola Way	8	6/14/02	\$844,002.70	\$13,000.00	\$857,002.70	\$44,997.30	42%		+49	Storm drain modifications to adjust plaza slopes to approx. 2%
Espanola Way	9	10/21/02	\$857,002.70	\$799.00	\$857,801.70	\$44,198.30	65%		0	Loading Zone at Barcelona Hotel, requested and funded by Property Owner
Espanola Way	10	10/21/02	\$857,801.70	(\$1,708.90)	\$856,092.80	\$45,907.20	65%		0	Delete 8 Planters (Owner request)
Espanola Way	11	10/21/02	\$856,092.80	\$5,190.00	\$861,282.80	\$40,717.20	65%		21	Underground Phone and TV cables, requested and funded by property owner
Espanola Way	12	10/21/02	\$861,282.80	(\$100.00)	\$861,182.80	\$40,817.20	70%		0	Credit for error on Change Order # 9
Espanola Way	13	10/21/02	\$861,182.80	\$1,180.00	\$862,362.80	\$39,637.20	70%		0	Water line to Proposed fountain
Espanola Way	14	11/12/02	\$862,362.80	\$720.00	\$863,082.80	\$38,917.20	85%		0	Ramp at Tantra for Dumpster
Espanola Way	15	11/12/02	\$863,082.80	\$512.00	\$863,594.80	\$38,405.20	85%		0	Change Planter Layout (Owner Request)
Espanola Way	16	11/12/02	\$863,594.80	\$2,000.00	\$865,594.80	\$36,405.20	85%		5	Change inlet to Storm drains
Espanola Way	17	12/6/02	\$865,594.80	\$500.00	\$866,094.80	\$35,905.20	90%		0	Additional rain water leaders
Espanola Way	18	12/6/02	\$866,094.80	(\$1,584.50)	\$864,510.30	\$37,489.70	90%		0	Net plant material changes by Landscape Architect
Espanola Way	19	01/21/03	\$861,282.80	\$5,760.97	\$867,043.77	\$31,728.73	99%		7	Added Sidewalk, Curb, & Header at edge of pavers
Espanola Way	20	01/21/03	\$867,043.77	\$2,690.00	\$869,733.77	\$29,038.73	99%		2	Install photoelectric cell control for street lights.
Espanola Way	21	01/28/03	\$869,733.77	\$23,547.35	\$893,281.12	\$5,491.38	100%		4	Pay item quantity adjustments and Added drainage.
Espanola Way			\$893,281.12	(\$6,293.50)	\$886,987.62	\$11,784.88			0	Credit from Contractor for quantity adjustments.
Espanola Way				(\$5,190.00)		\$16,974.88				Contribution from Property Owners for C.O. # 11.
Espanola Way				\$16,589.00		\$385.88				Additional services to AVE for additional Construction Administration (time and scope: \$8,447) and DERM Fee Reimbursement (\$8,142)
Fisher Park	1	8/10/99	\$140,451.04	\$6,874.12	\$147,325.16	\$7,201.39	27%	\$	-	New scope of work for new layout of tot lot & install new fencing
Flamingo Pool	1	9/25/01	\$2,399,800.00	\$53,500.00	\$2,453,300.00	\$239,980.00				Re-route electrical feed
Flamingo Pool	2	10/24/01	\$2,453,300.00	\$20,170.48	\$2,473,470.48	\$219,809.52	40%			relocate FPL underground line to accommodate new pool
Flamingo Pool	3	10/24/01	\$2,473,470.48	\$62,800.00	\$2,536,270.48	\$157,009.52	40%			Add Alternate # 2 - Sunburst Fence (originally anticipated)
Flamingo Pool	4	10/24/01	\$2,536,270.48	(\$8,680.00)	\$2,527,590.48	\$165,689.52	40%			Delete 3 lifeguard chairs and substitute pool coating
Flamingo Pool	5	2/19/02	\$2,527,590.48	(\$11,246.40)	\$2,516,344.08	\$176,935.92	80%		-10	Credit for using existing portion of sanitary sewer lines

**Exhibit "A"**



**General Obligation Bond Oversight Committee  
Contingency Report - April 2005**

<b>Project</b>	<b>CO #</b>	<b>Date of Approval</b>	<b>Original Contract Amount</b>	<b>Change Order Amount</b>	<b>Revised Contract Amount</b>	<b>Remaining Contingency</b>	<b>% of Project Complete (approx.)</b>	<b>Contract Amount Remaining to be Paid</b>	<b># of Days</b>	<b>Purpose</b>
Flamingo Pool	6	2/19/02	\$2,516,344.08	\$37,503.65	\$2,553,847.73	\$139,432.27	80%		+15	Revised storm system layout to include new drainage well. Installation of support haunches at large pool for structural stability.
Flamingo Pool	7	4/2/02	\$2,553,847.73	\$54,000.00	\$2,607,847.73	\$85,432.27			+10	installation of Spray Deck, included as Add Alternate, requested by Parks (originally anticipated)
Flamingo Pool	8	4/8/02	\$2,607,847.73	\$4,264.48	\$2,612,112.21	\$85,432.27			0	installation of interior signage, taken from signage allowance (originally anticipated)
Flamingo Pool	9	4/30/02	\$2,612,112.21	\$17,874.42	\$2,629,986.63	\$67,557.85		\$ -	+24	furnish/install anchors for swim lines, install 5 umbrella anchors, install electrical conduit/wires and panels for night lighting system
Group A & B Parks										
Island View Park - Ph II	1	1/9/02	\$123,453.48	(\$29,330.00)	\$94,123.48	\$62,348.00	20%			Removal of Shade Pavilion from Scope of Services (at City's request)
All Parks	2	1/28/02	\$94,123.48	\$30,060.00	\$124,183.48	\$28,268.18	30%			Removal of concrete slab at Island View tot lot, upgrade to galvanized steel fencing with electrostatic paint
All Parks	3	3/1/02	\$124,183.48	\$8,703.66	\$132,887.14	\$19,564.52	75%			Addition of columns to fencing, relocation of column, addition of 43 linear feet of fencing to accommodate existing tree route systems
All Parks	4	3/1/02	\$132,887.14	\$0.00	\$132,887.14	\$19,564.52	75%		+45	Time extension due to delay of construction start to accommodate ongoing programming at parks
Crespi Park	5	5/15/02	\$132,887.14	\$6,136.00	\$139,023.14	\$13,428.52	90%	\$ -	0	Installation of specially fabricated sections of fencing to avoid conflict with tree root systems
Island View Park	1	8/4/99	\$192,053.48	\$1,775.79	\$193,829.27					Replace underground pipe for electric service to 2 existing lights
Island View Park	2	12/29/99	\$193,829.27	\$4,044.04	\$197,873.31	\$8,703.16	36%	\$ -	0	Removal of Basketball Court & restoration of area
Marseilles Drive	1	5/19/03	\$1,356,913.00	\$18,613.00	\$1,375,526.00	\$117,078.00	35%		8	Change elevation to drainage structures and pipes.
Marseilles Drive	2	5/19/03	\$1,375,526.00	(\$756.00)	\$1,374,770.00	\$117,834.00	35%		0	Credit for use of a less expensive water pipe material.
Marseilles Drive	3	5/19/03	\$1,374,770.00	\$3,957.00	\$1,378,727.00	\$113,877.00	35%		2	Use of a different material and type for all curb and gutter inlet frames and grates.
Marseilles Drive	4	7/24/03	\$1,378,727.00	\$18,240.00	\$1,396,967.00	\$95,637.00	40%		5	Additional 2" layer of asphalt requested by the Public Works Dept.
Marseilles Drive	5	7/24/03	\$1,396,967.00	(\$4,000.00)	\$1,392,967.00	\$99,637.00	40%		0	Credit for reduced drainage well depth.
Marseilles Drive	6	7/24/03	\$1,392,967.00	\$5,056.00	\$1,398,023.00	\$94,581.00	40%		2	Resolution of a conflict with a water main pipe at Rue Versailles.
Marseilles Drive	7	7/24/03	\$1,398,023.00	\$0.00	\$1,398,023.00	\$94,581.00	40%		4	Additional days for document discrepancies.
Marseilles Drive	8	7/24/03	\$1,398,023.00	\$0.00	\$1,398,023.00	\$94,581.00	40%		1	Additional rain delay.
Marseilles Drive	9	7/24/03	\$1,398,023.00	\$0.00	\$1,398,023.00	\$94,581.00	40%		16	Delay due to FDOT lane closure permit.
Marseilles Drive	10	8/12/03	\$1,398,023.00	\$17,200.00	\$1,415,223.00	\$77,381.00	55%		6	Re-routing of water main pipe at Normandy and Rue Notre Dame to avoid conflict with existing gas main and storm sewer pipe.
Marseilles Drive	11	8/12/03	\$1,415,223.00	\$3,802.00	\$1,419,025.00	\$73,579.00	55%		2	Replacement of existing sanitary sewer pipe at Bay Drive and Marseille.
Marseilles Drive	12	8/12/03	\$1,419,025.00	\$6,080.00	\$1,425,105.00	\$67,499.00	55%		0	Additional 2" layer of asphalt requested by the Public Works Dept. at Rue Versailles.

**Bolded items reflect Change Orders/Contingency commitments that have occurred since the last General Obligation Bond Oversight Committee meeting.**

**General Obligation Bond Oversight Committee  
Contingency Report - April 2005**

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Marseilles Drive	13	8/12/03	\$1,425,105.00	\$6,080.00	\$1,431,185.00	\$61,419.00	55%		0	Additional 2" layer of asphalt requested by the Public Works Dept. at Rue Notre Dame.
Marseilles Drive	14	8/12/03	\$1,431,185.00	\$2,622.00	\$1,433,807.00	\$58,797.00	55%		6	Removal of 95 Ft. of existing curb and gutter and replacement with new valley gutter. Removal of existing grate and replacement at different location due to a change in design at an intersection.
Marseilles Drive	15	8/12/03	\$1,433,807.00	\$1,437.00	\$1,435,244.00	\$57,360.00	55%		1	Added traffic control loop at Rue Versailles and Normandy Drive.
Marseilles Drive	16	8/12/03	\$1,435,244.00	\$5,060.00	\$1,440,304.00	\$52,300.00	55%		5	Existing tree removal at Rue Notre dame due to line of sight.
Marseilles Drive	17	8/12/03	\$1,440,304.00	\$4,613.00	\$1,444,917.00	\$47,687.00	55%		2	Additional storm drainage structure.
Marseilles Drive	18	12/19/03	\$1,444,917.00	\$1,320.00	\$1,446,237.00	\$46,367.00	85%		7	Electrical Service for Irrigation Controller.
Marseilles Drive	19	12/19/03	\$1,446,237.00	\$0.00	\$1,446,237.00	\$46,367.00	85%		0	This Change Order was voided because the CMB declined to install additional street light at Cul-De-Sac.
Marseilles Drive	20	12/19/03	\$1,446,237.00	(\$179.00)	\$1,446,058.00	\$46,546.00	85%		0	Credit for replacing 1#5 Re-Bar wit a # 3 Re-Bar.
Marseilles Drive	21	12/19/03	\$1,446,058.00	\$11,539.75	\$1,457,597.75	\$35,006.25	85%		10	Re-Construct Rue Versailles to conform revised elevations.
Marseilles Drive	22	12/19/03	\$1,457,597.75	\$21,793.75	\$1,479,391.50	\$13,212.50	85%		38	To install new drainage system along Marseilles Drive, Labor and equipment
Marseilles Drive	23	12/19/03	\$1,479,391.50	\$3,474.00	\$1,482,865.50	\$9,738.50	85%		0	To install new drainage system along Marseilles Drive, material.
Marseilles Drive	24	12/19/03	\$1,482,865.50	(\$438.00)	\$1,482,427.50	\$10,176.50	85%		0	Credit to the CMB for 2-1/2" water meter of Irrigation system.
Marseilles Drive	25	12/19/03	\$1,482,427.50	\$1,716.00	\$1,484,143.50	\$8,460.50	85%		3	Installation of irrigation main line from STA 7+00 to STA 8+10
Marseilles Drive	26	12/19/03	\$1,484,143.50	\$0.00	\$1,484,143.50	\$8,460.50	85%		2	16" water main tied in, Change Order for 2 additional days only.
Marseilles Drive	27	1/7/04	\$1,484,144.75	(\$11,796.00)	\$1,472,348.40	\$20,256.50	90%		0	Deleted work at Cul-De-Sac of Rue Notre Dame.
Marseilles Drive	28	1/7/04	\$1,472,348.40	(\$5,534.50)	\$1,466,813.90	\$25,791.00	90%		3	Deleted Landscape work at Rue Versailles & N. Drive.
Marseilles Drive	29	1/7/04	\$1,466,813.90	(\$1,055.00)	\$1,465,758.90	\$26,846.00	90%		0	Deleted Landscape work at Rue Notre Dame & N. Drive.
Marseilles Drive	30	1/7/04	\$1,465,758.90	\$400.00	\$1,466,358.90	\$26,446.00	90%		1	Additional Sidewalk at East side of R. Notre Dame & N. Drive.
Marseilles Drive	31	1/7/04	\$1,465,358.90	\$622.00	\$1,466,820.90	\$25,784.00	90%		0	Additional Pictures for August, September & October.
Marseilles Drive	32	1/7/04	\$1,466,820.90	\$495.00	\$1,467,315.90	\$25,289.00	90%		1	To Replace Irrigation Backflow Preventer
Marseilles Drive	33	1/7/04	\$1,467,315.90	\$0.00	\$1,467,315.90	\$25,289.00	90%		12	Additional Time for Landscaping, Marking due to Water Meter
Marseilles Drive	34	1/7/04	\$1,467,315.90	\$550.00	\$1,467,865.90	\$24,739.00	90%		2	Repair Brick Pavers at East & West side of Rue Versailles & N. Drive.
Marseilles Drive	35	1/7/04	\$1,467,865.90	\$0.00	\$1,467,865.90	\$24,739.00	90%		6	Additional Time for the Last Lift of Asphalt along Marseilles.
Marseilles Drive	36	1/7/04	\$1,467,865.90	\$3,057.00	\$1,470,922.90	\$21,682.00	95%	\$159,614.97	18	Modification to Service Track plus installation of Electric Meter Can
Normandy Isle Park and Pool	1	9/10/02	\$2,264,000.00	\$1,708.00	\$2,265,708.00	\$218,004.00	0.05%		0	Reimbursement for payment for Removal of FPL facilities from Pool Building
Normandy Isle Park and Pool	2	9/10/02	\$2,265,708.00	\$0.00	\$2,265,708.00	\$218,004.00	0.05%		84	Time delay related to waiting for relocation of County and FDOT facilities
Normandy Isle Park and Pool	3	3/10/03	\$2,265,708.00	\$1,078.00	\$2,266,786.00	\$216,926.00	0.05%		0	Additional work to dig test pits

**Bolded items** reflect Change Orders/Contingency commitments that have occurred since the last General Obligation Bond Oversight Committee meeting.

**General Obligation Bond Oversight Committee  
Contingency Report - April 2005**

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Normandy Isle Park and Pool	4	12/10/02	\$2,266,786.00	\$179,000.00	\$2,445,786.00	\$37,926.00	1.00%		0	To reinstate the piling foundation system and concrete deck previously removed during value engineering
Normandy Isle Park and Pool	5	10/7/03	\$2,445,786.00	\$0.00	\$2,445,786.00	\$37,926.00	25%		102	Approved additional 102 days due to negotiations related with the pool deck.
Normandy Isle Park and Pool	6	12/3/03	\$2,445,786.00	\$15,864.98	\$2,461,650.98	\$37,926.00	35%		15	P&R Requested modifications and additions to contract.
Normandy Isle Park and Pool	7	1/14/04	\$2,461,650.98	\$23,488.75	\$2,485,139.73	\$37,926.00	35%		0	To install additional floor drains, Demolish & disposal existing Playground, installing P.V.C. for irrigation, Changes along deck level.
Normandy Isle Park and Pool	8	3/8/04	\$2,485,139.73	\$0.00	\$2,485,139.73	\$37,926.00			53	Additional 53 days to Contract time due to expired pool permits plan re-processing.
Normandy Isle Park and Pool	9	3/8/04	\$2,485,139.73	\$12,320.41	\$2,497,460.14	\$25,605.59	47%		0	Installation of additional underground primary and secondary electrical conduits and wiring and relocation of FPL electrical transformer.
Normandy Isle Park and Pool	10	4/8/04	\$2,497,460.14	\$12,270.34	\$2,509,730.48	\$13,335.25	47%		8	Revisions to structural scope by addition of collector tank and extension of the pool pump room.
Normandy Isle Park and Pool	11	4/22/04	\$2,509,730.48	(\$143,750.00)	\$2,365,980.48	\$157,085.25	47%	\$1,214,304.14	-10	Removal of Scope of Work: perimeter fence, landscaping and irrigation on the park portion of the Project.
North Shore Open Space Park - Phase II	1	10/15/02	\$361,651.00	\$300.00	\$361,951.00	\$40,265.00	25%		0	Demolish and dispose two (2) existing vita course stations (not included in original scope)
North Shore Open Space Park - Phase II	2	10/28/02	\$361,951.00	\$1,477.00	\$363,428.00	\$38,788.00	28%		0	Installation of 2 4" sleeves at three locations under the newly installed 15' wide pathway
North Shore Open Space Park - Phase II	3	11/14/02	\$363,428.00	\$2,642.71	\$366,070.71	\$36,145.29	30%		0	re-grading of the areas of the old guard house and along the existing pathway in order to allow a smoother grade/transition
North Shore Open Space Park - Phase II	4	11/14/02	\$366,070.71	\$199.03	\$366,269.74	\$35,946.26	30%		0	Deletion of Asphalt Striping and addition of 1" of asphalt from 79th Street to 81st Street as a means of reinforcing surfacing for anticipated heavy traffic
North Shore Open Space Park - Phase II	5	5/19/03	\$366,269.74	(\$6,770.40)	\$359,499.34	\$42,716.66	100%	\$	0	Credit for 7,440 square feet of defective asphalt.
North Shore Park and Youth Center	1	4/11/02	\$5,659,357.00	\$6,000.00	\$5,665,357.00	\$307,168.00	3%			To hire a locator service to locate and identify underground utilities
North Shore Park and Youth Center	2	4/29/02	\$5,665,357.00	\$4,480.00	\$5,669,837.00	\$302,688.00	5%			To dispose of sports lighting poles and selected foundations (Park Portion)
North Shore Park and Youth Center	3	4/29/02	\$5,669,837.00	\$12,086.00	\$5,681,923.00	\$290,602.00	5%			To provide separate electrical meter services for the Tennis Center as requested by the Parks & Rec. Dept. (Park Portion)
North Shore Park and Youth Center	4	8/5/02	\$5,681,923.00	\$89,776.00	\$5,771,699.00	\$290,602.00	11%		0	To include value engineered items back in the project: different locker construction, alternate door construction and size, alternate wood gymnasium floors and construction of 2 additional tennis courts (originally anticipated). Funded through GO Bond funds reallocated after addition of CDBG funds.

**General Obligation Bond Oversight Committee**  
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North Shore Park and Youth Center	5	8/5/02	\$5,771,699.00	\$321,526.00	\$6,093,225.00	\$290,602.00	11%		0	To include sport lighting for the project (originally anticipated). Funded through GO Bond funds reallocated after addition of CDBG funds.
North Shore Park and Youth Center	6	8/9/02	\$6,093,225.00	\$61,965.00	\$6,155,190.00	\$228,637.00	15%		0	To provide 6 storm drain retention tanks to meet DEP requirements.
North Shore Park and Youth Center	7	8/21/02	\$6,155,190.00	\$21,076.00	\$6,176,266.00	\$207,561.00	18%		0	To relocate the and upgrade the existing FPL Transformer
North Shore Park and Youth Center	8	10/24/02	\$6,176,266.00	\$10,939.00	\$6,187,205.00	\$196,622.00	30%		24	Relocation of 5 pigeon plums as requested by DERM and additional exit lights within the Tennis Center as requested by The Building Department
North Shore Park and Youth Center	9	11/13/02	\$6,187,205.00	\$38,872.00	\$6,226,077.00	\$196,622.00	38%		0	Additional 2 clay tennis courts for total of 12 courts. Funding came from North Beach Quality of Life/Resort Tax Fund
North Shore Park and Youth Center	10	1/8/03	\$6,226,077.00	\$1,403.00	\$6,227,480.00	\$195,219.00	50%		108	Cost for stand alone fire alarm system for Tennis Center (\$7,830), credit for changes to main sewer line (-\$2,027.52), and raising top of footing elevation at Youth Center and Gymnasium (-\$4,400)
North Shore Park and Youth Center	11	1/8/03	\$6,227,480.00	\$11,447.00	\$6,238,927.00	\$183,772.00	50%		0	Additional exit signs for Tennis Center (\$1,857) and reconfiguration of storm drainage system (9,590)
North Shore Park and Youth Center	12	1/8/03	\$6,238,927.00	\$28,548.00	\$6,267,475.00	\$155,224.00	50%		0	Additional data services requested by owner, upgrade of window color, and location of a drain at practice tennis court
North Shore Park and Youth Center	13	2/14/03	\$6,267,475.00	\$6,272.00	\$6,273,747.00	\$148,952.00	55%			Additional phone conduit & receptacle (owner request), concrete pad for FPL electric transformer, and structural change to support A/C ducts in Gym north wall
North Shore Park and Youth Center				(\$38,590.00)		\$187,542.00				Funding Added by Parks and Recreation for Change Orders
North Shore Park and Youth Center	14	5/19/03	\$6,273,747.00	\$30,464.00	\$6,304,211.00	\$157,078.00	75%		0	1. Provision of gypsum drywall ceiling for Tennis Center restrooms-\$1,290; 2. Inclusion of Value Eng. Item 16R - \$17,754; 3. Exterior paint color sample -\$237; 4. Removal of trees \$1,881.25; 5. Additional 4" roof drain-\$1,616; 6. Tennis court irrigation line \$3,773; 7. Additional roof insulation-\$1,773.75; 8. Two(2) 2" PVC Duct Bank- \$2,138.60
North Shore Park and Youth Center	15	6/10/03	\$6,304,211.00	\$66,464.00	\$6,370,675.00	\$90,614.00	75%		20	1.Drop ceiling in Tennis Center- \$748; 2. Provision of access ladder to access the roof \$3,333; 3. Construction of 4 dugouts-\$57,502; 4. Installation of additional strobe lights- \$4,881. Additional 20 days was granted for construction of dugouts.
North Shore Park and Youth Center	16	7/15/03	\$6,370,675.00	\$24,045.00	\$6,394,720.00	\$66,569.00	75%		31	1. Relocation of 2 light poles at the Tennis Center \$12,220 - 2. Addition of 6 area drains on the north side of the Tennis court area to introduce an underground drainage system.

**General Obligation Bond Oversight Committee**  
**Contingency Report - April 2005**

<u>Project</u>	<u>CO #</u>	<u>Date of Approval</u>	<u>Original Contract Amount</u>	<u>Change Order Amount</u>	<u>Revised Contract Amount</u>	<u>Remaining Contingency</u>	<u>% of Project Complete (approx.)</u>	<u>Contract Amount Remaining to be Paid</u>	<u># of Days</u>	<u>Purpose</u>
North Shore Park and Youth Center	17	7/15/03	\$6,394,720.00	\$7,750.00	\$6,402,470.00	\$58,819.00	75%		10	1. Sidewalk addition to provide access to the entry ramps south of the building - \$7,075; 2. Addition of sprinkler heads requested by Fire Inspector - \$1,753; 3. Credit for deletion of stucco at Youth Center West wall - (\$1,078). Contract time will be increased 10 days for Phase 3 and 31 days for Phase 2.
North Shore Park and Youth Center	18	8/25/03	\$6,402,470.00	\$6,219.00	\$6,408,689.00	\$52,600.00	85%		0	Four picket gates at North and South Entrances not shown on contract documents.
North Shore Park and Youth Center	19	8/25/03	\$6,408,689.00	\$19,298.00	\$6,427,987.00	\$33,302.00	85%		0	Install two rain water scuppers and additional roofing at West Entrance. Enclosure of ductwork a gymnasium.
North Shore Park and Youth Center				(\$102,750.00)		\$136,052.00				Funding Added by Parks and Recreation for Change Orders
North Shore Park and Youth Center	20	4/23/04	\$6,427,987.00	\$17,541.00	\$6,445,528.00	\$118,511.00	95%		162	Credit for Underground Utility Exploration from CO #1 (- \$5,760.00), Provide a 4" diam. Water meter (\$14,420.00), Additional Fire Alarm devices as required by Fire Inspection (\$3,413.00), Sign for South Entrance (\$991.00), Removal of trees from West baseball field (\$3,210.00). Additional 162 day time extension for Phase I only. Net Current Days are for Phase I: 320, Phase II: 61, and Phase III: 60.
North Shore Park and Youth Center	21	4/23/04	\$6,445,528.00	\$21,065.00	\$6,466,593.00	\$97,446.00	95%	\$ 794,688.00	15	Interior Paint at Stair 2 (\$1,393.87), Temporary Power Reimbursement to GC (\$4,286.39), Additional fire Sprinkler Valve for Elevator Shaft (\$1,013.73), Electrical Service SE Field Water Fountain (\$1,902.01), Street Cuts North Entrance (\$4,701.33), Water Fountain Backflow Valve (\$636.69), Landscape Credit (- \$1,841.00), Single Phase 220V for Elevator (\$1,597.72), Restroom Vanities Counter Supports (\$1,454.48), Water Fountain ADA Compliance (\$1,491.69). Job Site Security during FTAA as requested by City (\$4,428.00).
North Shore Park and Youth Center		5/26/04		(\$120,000.00)		\$217,446.00				City Commission Added \$120,000 in funding for Change Orders
North Shore Park and Youth Center	22	7/21/04	\$6,466,593.00	\$127,087.00	\$6,593,680.00	\$90,359.00	98%	\$ 329,684.20	0	Items required due to Building Department inspections required for Final CO and Owner's Punch List: Electrical (\$1,785), Irrigation breaker (\$363), Baseball Field Maintenance Gates (\$1,274), Elevator Room's Electrical and Fire Protection changes (\$29,927), Supervision fees (\$27,360), Performance Bond (\$18,230), Changes to West Plaza (\$14,046), Bracing at Shower Stalls (\$4,176), Additional Roof Scuppers and dampers (\$5,062), Wood thresholds (\$2,347), HVAC Mold Test (\$1,300), Glass railing at Teen's Room (\$9,922), Shuffle Board Permit Processing fee (\$1,598), Various items at Gym, including metal shields, wood nosing, paint, additional fire alarm devices (\$9,697).

**General Obligation Bond Oversight Committee**  
**Contingency Report - April 2005**

<b>Project</b>	<b>CO #</b>	<b>Date of Approval</b>	<b>Original Contract Amount</b>	<b>Change Order Amount</b>	<b>Revised Contract Amount</b>	<b>Remaining Contingency</b>	<b>% of Project Complete (approx.)</b>	<b>Contract Amount Remaining to be Paid</b>	<b># of Days</b>	<b>Purpose</b>
North Shore Park and Youth Center	23	10/6/04	\$6,593,680.00	\$11,942.00	\$6,605,622.00	\$78,417.00	98%	\$ 329,684.20	0	Items required due to Building Department inspections required for Final CO and Owner's Punch List: Additional overflow roof scuppers (\$3,580.50), Installation of safe boxes (\$630.00), Additional Gates at North Baseball Field (\$1,239.50), Window Testing at Storefronts (\$1,182.00), and Elect/Mech Changes to Mech. Room 136 (\$5,310.00).
Scott Rakow Youth Center	1	1/16/02	\$2,845,700.00	\$47,300.00	\$2,893,000.00	\$0.00	10%		0	Alternates 1, 2 and 4 for Phasing plan, outdoor rubber flooring and landscaping
Scott Rakow Youth Center	2	N/A	\$0.00	\$0.00	\$0.00	\$0.00	0%		0	VOIDED
Scott Rakow Youth Center	3	2/19/02	\$2,893,000.00	\$0.00	\$2,893,000.00	\$0.00	30%		89	89 day time extension
Scott Rakow Youth Center	4	2/19/02	\$2,893,000.00	(\$36,008.00)	\$2,856,992.00	\$0.00	50%		0	Delete elevator and folding partitions
Scott Rakow Youth Center	5	5/21/02	\$2,856,992.00	\$29,700.00	\$2,886,692.00	\$250,000.00	60%		0	Relocate utilities, additional electrical service to ice rink, reroute Bell South underground service
Scott Rakow Youth Center	6	9/24/02	\$2,886,692.00	\$36,008.00	\$2,922,700.00	\$213,992.00	70%		0	Adding back in the elevator and folding partitions
Scott Rakow Youth Center	7	9/24/02	\$2,922,700.00	\$160,594.77	\$3,083,294.77	\$53,397.23	70%		0	Rerouting storm pipe, additional fire devices and fixtures, repairs to broken water main, remobilization for auger cast piles, paint locker room walls and ceilings, relocation of pedestrian crossing signal, repair of BellSouth lines, repair concrete beams, Zamboni water heater, Water Absorption Tank and monitoring system, rerouting conduit, HVAC unit roof frame, delete basketball court floor replacement work, new foundation for north stairs, modifications to roof and roof structure
Scott Rakow Youth Center	8	11/8/02	\$3,083,294.77	\$9,306.25	\$3,092,601.02	\$4,166.00 *	80%		0	Installation of louvered door at mechanical room
* Specific costs were paid out of project contingency to FPL, Bell South, PSI Geotechnical, Threshold Inspector. These costs were not paid through the contractor and therefore would not be a part of a change order to the Contractor.										
Scott Rakow Youth Center	9	1/8/03	\$3,092,601.02	(\$21,016.08)	\$3,071,584.94	\$25,182.08	85%		0	Credit for security guard services and ammonia monitoring system. System will be monitored through Fire Alarm panel.
Scott Rakow Youth Center	10	1/8/03	\$3,071,584.94	\$11,844.81	\$3,083,429.75	\$13,337.27	85%		0	Electrical wiring modifications for existing pool and restrooms; furnish and install new light fixture at entrance; furnish and install new 480v/60amp electrical feeder for new water heater and pump at Zamboni room
Scott Rakow Youth Center	11	2/25/03	\$3,083,429.75	\$2,950.11	\$3,086,379.86	\$110,387.16	85%		0	Work required for fire alarm panel relocation, and addition of strobe and horn for ammonia leak detection device. \$100,000 was added to the project contingency.

General Obligation Bond Oversight Committee  
Contingency Report - April 2005

Project	CO #	Date of Approval	Original Contract Amount	Change Order Amount	Revised Contract Amount	Remaining Contingency	% of Project Complete (approx.)	Contract Amount Remaining to be Paid	# of Days	Purpose
Scott Rakow Youth Center	12	4/4/03	\$3,086,379.86	\$10,406.70	\$3,096,786.56	\$99,980.46	85%		0	Relocation of electrical equipment, installation of panic hardware at ice rink entrance doors, and automation of ice rink equipment room fan with ammonia detection panel.
Scott Rakow Youth Center	13	6/30/03	\$3,096,786.56	\$39,860.58	\$3,136,647.14	\$60,119.88	90%		0	Installation of new louver and ductwork to maintain fresh air intake at existing mechanical room, installation of new emergency exit lights, new 42" railing at entry ramp area, additional conduit and wiring to connect ice rink equipment room exhaust fan to fire alarm panel.
Scott Rakow Youth Center	14	8/7/03	\$3,136,647.14	(\$4,500.00)	\$3,132,147.14	\$64,619.88	90%	\$580,162.93	0	Credit for deletion of 4-foot concrete sidewalk along Pine Tree Drive.
Tatum Park	1	2/23/00	\$341,518.36	\$50,987.25	\$392,505.61					new basketball court (originally anticipated)
Tatum Park	2	2/23/00	\$392,505.61	\$33,012.05	\$425,517.66	\$4,477.89	81%			sports and security lighting (originally anticipated)
Tatum Park	3	11/1/01	\$425,517.66	(\$1,800.00)	\$423,717.66	\$6,277.89	100%	\$	-	Contractor's portion of Safety Surface Installation

# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
www.miamibeachfl.gov



## COMMISSION MEMORANDUM

**To:** Mayor David Dermer and  
Members of the City Commission

**Date:** April 20, 2005

**From:** Jorge M. Gonzalez  
City Manager

**Subject: REPORT OF THE APRIL 11, 2005 - LAND USE AND DEVELOPMENT  
COMMITTEE MEETING**

A meeting of the Land Use and Development Committee was held on Monday, April 11, 2005 at 4:00 p.m. in the Mayor's Conference Room. The following were in attendance: Vice-Mayor Luis R. Garcia Jr., and Commissioners Saul Gross, Matti Herrera Bower and Jose Smith.

1. **DISCUSSION REGARDING JACKSONVILLE BARRIER REMOVAL ORDINANCE.**  
Referred at the October 13, 2004 City Commission Meeting. Discussed at the January 11, 2005 Land Use and Development Committee Meeting.

Fred Beckmann presented an overview of the subject. The Committee decided to create a pilot project to try out the outreach program to encourage businesses into compliance with the ADA Title III accessibility federal regulations. The Barrier Free Environment Committee should discuss this and help to identify the sites targeted for voluntary compliance. The Committee also decided the pilot project results be reported back to the Committee in four (4) months.

2. **DISCUSSION REGARDING THE GALERIA CONDOMINIUM'S REQUEST TO AMEND CITY CODE SECTION 142-1134 REGARDING TENNIS COURT AND LIGHT RESTRICTIONS BETWEEN 8:00 P.M. AND 8:00 A.M.** Referred at the February 23, 2005 City Commission Meeting.

The Committee instructed the Administration through the Code Compliance and Planning Departments to facilitate a meeting between the Castle Beach Management Association and the Galeria Condominium to work out the issues relating to the tennis courts. If these discussions do not resolve the issues, an Ordinance affecting the height of light poles should be brought back to the Committee for its consideration.

3. **DISCUSSION REGARDING PROPOSED ORDINANCE REGARDING REVISIONS TO THE SINGLE FAMILY DEVELOPMENT REGULATIONS SECTION OF THE CITY CODE PERTAINING TO NEW CONSTRUCTION REQUIREMENTS FOR ARCHITECTURALLY SIGNIFICANT HOMES.**

**Motion:** Land Use and Development Committee recommends to the full Commission that the proposed ordinance not be adopted. Gross/Bower 3-0

JMG/TH/JGG/rar

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**Agenda Item** CGE

**Date** 4-20-05



# LAND USE AND DEVELOPMENT COMMITTEE

April 11, 2005 at 4:00 p.m.

Mayor's Conference Room

## Attendance Sheet

NAME	E-MAIL ADDRESS	CONTACT NUMBERS	FAX NUMBER
1. <i>Camila Garcia</i>	@		
2. <i>Conan Bower</i>	@		
3. <i>Conan Gross</i>	@		
4. <i>Conan Smith</i>	@		
5. <i>Jerzy Gomez</i>	@		
6. <i>Robert Middelburg</i>	@		
7. <i>Jerzy Libbin</i>	@		
8. <i>Rachel Lief</i>	@		
9. <i>See Fontana</i>	@		
10. <i>Gary Held</i>	@		
11. <i>JOHN HEFFERNAN</i>	@		
12. <i>Jose BERMUDEZ</i>	@		
13. <i>Fred Beckmann</i>	@		
14. <i>Mario Montano</i>	Mario @ miamisunpost.com		
15. <i>See Werozi</i>	@		
16. <i>See Werozi</i>	@		
17. <i>SIDNEY GOLDIN</i>	@		
18. <i>HEDI JOHNSON-HART</i>	@		
19. <i>Esther Rodriguez</i>	esther @ miamibeachfl.gov		
20.	@		

# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
www.miamibeachfl.gov



## COMMISSION MEMORANDUM

**To:** Mayor David Dermer and  
Members of the City Commission

**Date:** April 20, 2005

**From:** Jorge M. Gonzalez  
City Manager

**Subject:** **REPORT OF THE NEIGHBORHOOD/COMMUNITY AFFAIRS  
COMMITTEE MEETING HELD ON TUESDAY, MARCH 29,  
2005.**

A meeting of the Neighborhood/Community Affairs Committee was held on Tuesday, March 29, 2005, at 2:30 p.m. in the City Manager's Large Conference Room. Commissioners in attendance: Mattie H. Bower, Saul Gross, Richard L. Steinberg, Luis R. Garcia Jr., and Jose Smith. City staff in attendance: Jorge M. Gonzalez, City Manager; Robert C. Middaugh, Assistant City Manager; Vivian P. Guzman, Director – Neighborhood Services Dept.; Jimmy McMillion, Special Projects Coordinator - Neighborhood Services Dept.; Saul Frances, Director – Parking Dept.; Chuck Adams, Assistant Director – Parking Dept.; Gary Held, First Assistant City Attorney; Roberto Datorre, Assistant City Attorney; Robert Parcher, City Clerk; Lilia Cardillo, Agenda Coordinator; Jordanna Rubin, Construction Manager; Robert Reboso, Redevelopment Specialist; John Heffernan, Margarita Alcon, Dolores Mejia, Office of the Mayor and Commission; Randi MacBride, Neighborhood Services. Others in attendance are listed in the attached sign-in sheet.

**1. DISCUSSION REGARDING A BICYCLE TAXI BUSINESS PROPOSED BY EASY RIDERS.**

**Action:** The Committee moved to bring the item to the next meeting of the full City Commission for discussion and directed staff to come prepared with the questions raised including:

- Include language that gives the city the ability to stop anytime during any pilot program.
- Control of advertising on vehicles.
- Drop-off and pick-up areas.
- Control of the volume of vehicles during pilot program.

**2. DISCUSSION REGARDING AN ORDINANCE RELATING TO WATERCRAFT; AMENDING CHAPTER 66 BY ENACTING A NEW SECTION 66-8 REGULATING THE MOORING AND ANCHORING OF WATERCRAFT WITHIN THE BOUNDARIES OF THE CITY; PROHIBITING ANCHORING OR MOORING FOR NONNAVIGATIONAL PURPOSES; DEFINING NONNAVIGATIONAL PURPOSES; ESTABLISHING A PENALTY FOR VIOLATION; PROVIDING FOR REPEALER OF ALL CONFLICTING ORDINANCES, RULES AND REGULATIONS; PROVIDING FOR CODIFICATION AND A SEVERANCE CLAUSE; AND SETTING AN EFFECTIVE DATE.**

Agenda Item

CGF

Date

4-20-05

Gary Held presented a brief history and overview of this request.

Commissioner Smith explained that a City of Clearwater ordinance that was challenged in the Circuit Court was upheld including a 72 hour prohibition within a 30-day period. Commissioner Smith believes that if you draft the ordinance in a similar fashion that provides the vessel owner the opportunity to challenge whether or not they are in navigation or within the navigable waters, then the ordinance may withstand a legal challenge. He also stated that he doesn't believe that the current draft ordinance has gone far enough. Commissioner Smith continued that the City is allowed to pass regulations governing vessels outside of navigation and the longer the City waits, the problem may worsen. Commissioner Smith is hearing from numerous Home Owners Associations that this has become a real issue requiring immediate attention.

Commissioner Garcia remarked that while recently traveling on the Gulf coast of Florida he did not notice the random anchorage of boats. The vessels he viewed were in marinas and he would like to know how are they regulated?

Mark Gold, a resident and attorney, stated that he has reviewed just about all Codes in the state and it ranges from zero tolerance as in Coral Gables where you need the approval of the Chief of Police before you can legally anchor, to Clearwater where you are limited to 72 hours with a provision for safe harbor exclusion. Ft. Lauderdale has language regulating the maximum anchorage at 24 hours; this has yet to be legally challenged. He believes the City of Miami Beach to be the last community to have an ordinance in place regulating anchorage. He also believes that since the City of Miami Beach Charter describes the jurisdictional boundaries by drawing a line down the center of Biscayne Bay from the Macarthur Causeway to North Bay Village and the city has police powers to enforce watercraft speeders then it should have the same powers to enforce this issue.

Several other residents described the seriousness of this matter and the obvious recent increase in the number of vessels in the water near their homes. These same residents are also concerned with the length of time (in months) that the boats have been anchored in the same location. Great concern exists for their safety, security and privacy.

Morris Sunshine, chairman of the Marine Authority, explained that the basis for rejecting the previous ordinance that came before the Marine Authority was because the ordinance authorized, what he believed, was in effect, acts against these people (vessel owners) because they are a potential source of pollution and that the City is getting too close to preventive arrests. He shared the comments of Mr. Thomas, an attorney who has practiced maritime and admiralty law for 27 years, on the current draft ordinance stating that the state has primary authority to regulate how vessels may use the waters of the state, including anchoring. As a suggested alternative to the elimination to anchoring the City might provide a designated mooring field with reasonable regulation for such things as noise, pollution, and garbage and dinghy usage. He continues that the Marine Authority, in the past, has requested of city staff to examine local ordinances to see if any would stand up to constitutional scrutiny and to design an approved mooring area that would satisfy the needs that are being expressed here and would be within the law.

Robert Middaugh, Assistant City Manager, stated that regardless of what is decided or passed, we do not currently have the enforcement resources to proactively enforce this as we currently only have two members of the Marine Patrol.

Commissioner Gross asked if this is complaint driven, stating that enforcement is the key to drafting something that is sensible. Mr. Middaugh believes that complaint driven enforcement is within the ability of the Marine Patrol to handle as opposed to going out to check every single boat that drops anchor.

Commissioner Steinberg would like to see the draft ordinance cleaned up with regard to addressing the time frame along with compliance and corrective actions. Since the draft ordinance is currently

silent with regard to the enforcement procedures, it needs to address if it will be handled like a parking citation, and do we need to include the powers to tow or impound. Commissioner Steinberg suggested another way is to regulate this would be to focus on the dinghies themselves. Many times he has seen at least a half-dozen dinghies lined up at the mouth of the canal along Dade Blvd which belong to people living on a boat who are coming in and making landfall there for whatever they do during the day and then coming back to go home at night. This may be more easily regulated or as an additional layer that we may want to consider in regulating these dinghies coming to land to minimize the amount of live-a-boards we have out there.

The question was raised as to whether residents providing dated photographs could aide in the documentation of the length of time a vessel has been anchored, for enforcement purposes. Robert Datorre explained that it must be witnessed by the enforcing person who must prepare a case with sufficient facts, possibly a GPS could be utilized.

Gary Held noted that the committee seems to be moving toward a 72-hour time period and that the committee should be aware of the two cases reported in a University of Florida article; the first, where the time period was upheld and another, where it was stricken. Commissioner Smith asked legal to provide him with copies of these two cases including legal arguments.

Commissioner Bower clarified that the time period is not yet determined.

Several residents suggested that a companion piece be included with this ordinance to establish a "for pay" mooring area as well as to provide for enough staff to handle the enforcement needs.

Commissioner Steinberg wondered if maybe this ordinance should not be as restrictive as possible making it subject to challenge and end up with an unenforceable ordinance, but rather have it a little more lenient by a day or two and have a better understanding that the City would prevail if challenged.

Commissioner Smith stated that an ordinance can be drafted to address the problem and he has proposed language which deals with the number of hours or what might be the intent of the people that are anchored and believes he can work with the legal department to come up with an ordinance that everyone will be happy with.

**Action:** The Committee moved to direct Legal staff to work with Commissioner Jose Smith on an ordinance to bring back on first reading at the next meeting of the full City Commission and to include the enforcement issues and public mooring.

**3. DISCUSSION REGARDING ON-STREET PARKING/ESPANOLA WAY (AND CUL-DE-SAC).**

**Action:** The Committee moved to pass the recommendation and bring it to the next meeting of the full City Commission (Consent Agenda).

**4. DISCUSSION REGARDING THE SCHEDULING OF COMMISSION MEETING DATES.**

**Action:** The Committee moved to accept the dates as recommended.

**5. REVIEW AND DISCUSSION OF THE CHANGES PROPOSED BY THE MIAMI BEACH JEWISH COMMUNITY CENTER, INC. (JCC) TO THEIR ORIGINALLY APPROVED CONCEPT PLAN, AS REFLECTED IN THE PRELIMINARY PLANS AND SPECIFICATIONS SUBMITTED TO THE CITY ON FEBRUARY 8, 2005, FOR THE CITY'S PROPRIETARY**

**REVIEW AND CONSIDERATION, RELATED TO THE CITY-OWNED PROPERTY THAT IS  
LEASED TO THE JCC AND LOCATED AT 4221-29 PINE TREE DRIVE, MIAMI BEACH,  
FLORIDA.**

**Action:** The Committee moved to approve this item and bring to the full City Commission meeting for discussion.

Attachments

JMG/RCM/VP/RFM

## ATTACHMENT 1

### CITY OF MIAMI BEACH

#### 2005 CITY COMMISSION MEETINGS

##### Commission Meetings

January 12 (Wednesday)

February 2 (Wednesday)

February 23 (Wednesday)

March 16 (Wednesday)

April 20 (Wednesday)

~~May 4 (Wednesday)~~

May 18 (Wednesday)

June 8 (Wednesday)

July 6 (Wednesday)

July 27 (Wednesday)

September 7 (Wednesday)

October 19 (Wednesday)

November 2\* (Wednesday)

November 16\* (Wednesday)

December 7 (Wednesday)

##### "Alternate" Commission Meetings

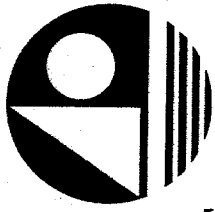
May 25 (Wednesday)

September 14 (Wednesday)

October 26 (Wednesday)

December 14 (Wednesday)

\* Election related items only.



**CITY OF MIAMI BEACH  
NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE**

March 29, 2005

**SIGN-IN SHEET**

**PLEASE PRINT LEGIBLY**

NAME	ORGANIZATION / DEPT.	PHONE NO.	FAX / EMAIL
Jun M. yln	Neighborhood Group	680-1	
Lilia Cordova	CMO	6780	
Bunny Datchew		305 538-1420	SKYgods37@yahoo.com
Herb Frank		305 674 9296	655006@aol.com
Morris Sunstein	SE/F	—	—
Felipe Alvarez	Easy Riders	205-498-4410	felipe@easyriders.com
JOHN C. HEFFERNAN	CMB	6457	
MARK S. GOLD	MB Homeowner	305 775 7996	MSG50be@hotmail.com
Charles Adams	CMB Parking	305-673-7000 x6863	CADAMS@MiamiBeachFL.gov
Jordanna Rubin	Environmental, AN		



**CITY OF MIAMI BEACH**  
**NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE**

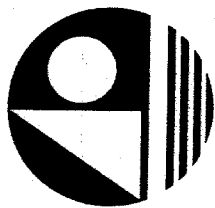
March 29, 2005

**SIGN-IN SHEET**

**PLEASE PRINT LEGIBLY**

NAME	ORGANIZATION / DEPT.	PHONE NO.	FAX /EMAIL
R. Mordough	CMB	673-7010	
Margarita Alcon	CMB May + Com	6437	
N. L. Conroy		305 416 4545	
AC WEINSTEIN	SUNPOST	(305) 538 9700 X 202	
Dolores M. Mejia	MAYOR & COM	(305) 673-7103	
Emmanuel Rodriguez	Neighbors 4 QAE/MLK	305 205 3213	Neighbors 4 QAE/MLK @NOTMAYC.COM
Barbara Lybome	New Year (Assembly Neighbors) Alliance	305 374 2565	hbisnoe.comcast.net
ROBERT KRIBOSO	CMB	673-7193	673-7772
Gary Held	CMB - Legal	26532	
ROBERT D'ARONE	CMB-LEGAL	x 6898	





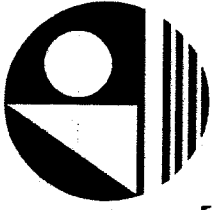
**CITY OF MIAMI BEACH  
NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE**

March 29, 2005

**SIGN-IN SHEET**

**PLEASE PRINT LEGIBLY**

NAME	ORGANIZATION / DEPT.	PHONE NO.	FAX / EMAIL
Handwritten signature	16 Island Ave	555-0082	nanlee@aol
Richard Steinberg	CAB		
Commun Bowyer			
TOOD TRAGASH	SVA ADCH. GROUP	305 571-1811	
JEFF BROW	MB-JCC	377-6220	
Darin Diner	"	305-534-3206	
JOSE VIDAL	STX ARCH. GROUP	505-571-1811	
JORG GONZALEZ	CNGR.		
VIVIAN GUTMAN	CMB		
SAUL FRANCES	PARKING		



**CITY OF MIAMI BEACH  
NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE**

March 29, 2005

**SIGN-IN SHEET**

**PLEASE PRINT LEGIBLY**

NAME	ORGANIZATION / DEPT.	PHONE NO.	FAX /EMAIL
Comm. Garcia	Comm.		
Comm. Smith	Comm.		
Comm. Gross	Comm.		
ROBERT PARLER	CMB		

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**CITY OF MIAMI BEACH  
COMMISSION ITEM SUMMARY**



**Condensed Title:**

A Resolution Of The Mayor And City Commission Of The City Of Miami Beach, Florida, Appropriating \$80,912 From The Series 2000 Water And Sewer Bond Interest Funds For The 25<sup>th</sup> Street Water Tanks Project As Part Of The Original Project Allocation.

**Issue:**

Shall the City appropriate \$80,912 From The Series 2000 Water And Sewer Bond Interest Funds For The 25<sup>th</sup> Street Water Tanks Project As Part Of The Original Project Allocation?

**Item Summary/Recommendation:**

On March 19, 2003, the Mayor and City Commission approved Resolution No. 2003-25158, accepting a Guaranteed Maximum Price (GMP) from Jasco Construction Company, Inc. in the amount of \$4,840,933 for the provision of Construction Manager at Risk services for the construction of two 3-million gallon water Storage Tanks, a new pumping station, a partial site drainage system and a temporary parking and storage area at the Public Works Yard.


At that time, funding for the GMP was identified as having been previously appropriated from General Obligation Bond funds for the Public Works Yard temporary parking and storage area, and from the Series 2000 Water and Sewer Bond funds for the construction of the water Storage Tanks and a new pumping station. This project has achieved substantial completion and is approaching final completion. However, in preparing the necessary financial documents to make final payment and closeout the project, it was discovered that \$80,912 from the project allocation that was believed to have been appropriated never was appropriated.

Therefore, the Administration recommends appropriation of the remaining \$80,912 from the Series 2000 Water and Sewer Bond Interest funds so that the final payment can be made and the project can be closed out.

**Advisory Board Recommendation:**

N/A

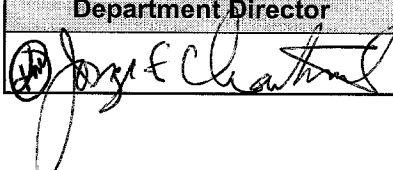
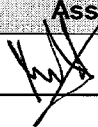
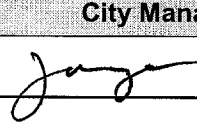
**Financial Information:**

Source of Funds:   Finance Dept.		Amount	Account	Approved
	1	\$80,912	Series 2000 Water and Sewer Bond Interest	
	2			
	3			
	4			
	Total	\$80,912		

**City Clerk's Office Legislative Tracking:**

Mauro Burgio, Senior Capital Projects Coordinator

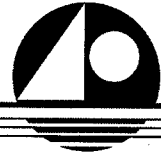
**Sign-Offs:**

Department Director	Assistant City Manager	City Manager
		

AGENDA ITEM C7A  
DATE 4-20-05

# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
www.miamibeachfl.gov



## COMMISSION MEMORANDUM

**To:** Mayor David Dermer and  
Members of the City Commission

**Date:** April 20, 2005

**From:** Jorge M. Gonzalez  
City Manager

**Subject:** **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROPRIATING \$80,912 FROM THE SERIES 2000 WATER AND SEWER BOND INTEREST FUNDS FOR THE 25<sup>TH</sup> STREET WATER TANKS PROJECT AS PART OF THE ORIGINAL PROJECT ALLOCATION.**

### ADMINISTRATION RECOMMENDATION:

Adopt the Resolution.

### FUNDING:

Funds are available from the Series 2000 Water and Sewer Bond Interest funds.

### ANALYSIS:

On March 19, 2003, the Mayor and City Commission approved Resolution No. 2003-25158, accepting a Guaranteed Maximum Price (GMP) from Jasco Construction Company, Inc. in the amount of \$4,840,933 for the provision of Construction Manager at Risk services for the construction of two 3-million gallon water Storage Tanks, and a new pumping station, a partial site drainage system and a temporary parking and storage area at the Public Works Yard.

At that time, funding for the GMP was identified as having been previously appropriated from General Obligation Bond funds for the Public Works Yard temporary parking and storage area, and from the Series 2000 Water and Sewer Bond funds for the construction of the water Storage Tanks and a new pumping station. This project has achieved substantial completion and is approaching final completion. However, in preparing the necessary financial documents to make final payment and closeout the project, it was discovered that \$80,912 from the project allocation that was believed to have been appropriated never was appropriated.

Therefore, the Administration recommends appropriation of the remaining \$80,912 from the Series 2000 Water and Sewer Bond Interest fund, so that the final payment can be made and the project can be closed out.

JMG/RCM/TH/JEC/klm

T:\AGENDA\2005\Apr2005\Consent\25th Street Water Tank Appropriation - memo.doc

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF  
THE CITY OF MIAMI BEACH, FLORIDA, APPROPRIATING \$80,912  
FROM THE SERIES 2000 WATER AND SEWER BOND INTEREST  
FUNDS FOR THE 25<sup>TH</sup> STREET WATER TANKS PROJECT AS  
PART OF THE ORIGINAL PROJECT ALLOCATION.**

**WHEREAS**, on March 19, 2003, the Mayor and City Commission approved Resolution No. 2003-25158, accepting a Guaranteed Maximum Price (GMP) from Jasco Construction Company, Inc., in the amount of \$4,840,933, for the provision of construction management at risk services for the construction of two 3-million gallon water storage tanks, a new pumping station, a partial site drainage system, and a temporary parking and storage area at the Public Works Yard (the Project); and

**WHEREAS**, at that time, funding for the GMP was identified as having been previously appropriated from General Obligation Bond funds for the Public Works Yard temporary parking and storage area, and from the Series 2000 Water and Sewer Bond funds for the construction of the water storage tanks and a new pumping station; and

**WHEREAS**, the Project has achieved substantial completion and is approaching final completion; and

**WHEREAS**, in preparing the necessary financial documents to make final payment and closeout the Project, it was discovered that \$80,912 from the Project allocation, that was believed to have been appropriated, was never appropriated; and

**WHEREAS**, funds are available from the Series 2000 Water and Sewer Bond Interest funds; and

**WHEREAS**, the Administration recommends appropriation of the remaining \$80,912 from the Series 2000 Water and Sewer Bond Interest funds, so that the final payment can be made and the Project can be closed out.

**NOW, THEREFORE BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Commission hereby appropriate \$80,912 from the Series 2000 Water and Sewer Bond Interest funds for the 25<sup>th</sup> Street Water Tanks Project.

**PASSED AND ADOPTED this 20<sup>th</sup> day of April, 2005.**

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

 4-18-05  
\_\_\_\_\_  
City Attorney Date

**CITY OF MIAMI BEACH  
COMMISSION ITEM SUMMARY**



**Condensed Title:**

A Resolution of the Mayor and City Commission of the City of Miami Beach, Florida, waiving by 5/7ths vote, the formal competitive bidding requirements, finding such waiver to be in the best interest of the City, and authorizing the City Manager's designee, who shall be the Property Management Director, a licensed general contractor, to select, negotiate, and award all contracts, agreements, purchase orders, and change orders for the purchase of all necessary goods and services (construction and professional) relative to all the FY 05 capital renewal and replacement fund projects (authority was granted previously to replace the floor at Fire Stations 1 and 3).

**Issue:**

Shall the City authorize the City Manager's designee, who shall be the Property Management Director, a licensed general contractor, to select, negotiate, and award all contracts, agreements, purchase orders, and change orders for the purchase of all necessary goods and services (construction and professional) relative to FY 05 capital renewal and replacement fund projects.

**Item Summary/Recommendation:**

In order to expedite the completion of the projects outlined in the Capital Renewal and Replacement Resolution # 2005-25832, adopted by the Mayor and City Commission on February 23, 2005, and in the best interest of the City, the Administration recommends that the Mayor and City Commission adopt the Resolution allowing the Property Management Director to serve as the General Contractor of Record and further authorize the Property Management Director to select, negotiate, and award all contracts, agreements, purchase orders, and change orders for the purchase of all necessary goods and services (construction and professional) relative to all the FY 05 capital renewal and replacement fund projects (authority was granted previously to replace the floor at Fire Stations 1 and 3. (**See Attached List**). Any contracts awarded in excess of \$25,000 by the Property Management Director will be brought to the City Commission for ratification.  
The Administration recommends approval of the Resolution.

**Advisory Board Recommendation:**

n/a

**Financial Information:**

Source of Funds:		Amount	Account	Approve
<div style="border: 1px solid black; width: 100px; height: 100px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 100px; height: 30px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 100px; height: 30px;"></div> <p>Finance Dept.</p>	<b>1</b>	1,347,070	Capital Renewal/Replacement	
	<b>2</b>		Projects Total	
	<b>3</b>		(see attached List)	
	<b>4</b>			
	<b>5</b>	2,000,000	Historic City Hall	
	<b>6</b>		(Miami-Dade GO Bond)	
	<b>Total</b>	3,347,070		

**City Clerk's Office Legislative Tracking:**

Brad A. Judd, Property Management Director

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager

T:\AGENDA\2005\Apr2005\Consent\Capital Renewal GO Approval Sum.doc

AGENDA ITEM C7B  
DATE 4-20-05



# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
www.ci.miami-beach.fl.us



## COMMISSION MEMORANDUM NO.

**To:** Mayor David Dermer and  
Members of the City Commission

Date: April 20, 2005

**From:** Jorge M. Gonzalez  
City Manager

**Subject:** A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, WAIVING BY 5/7THS VOTE, THE FORMAL COMPETITIVE BIDDING REQUIREMENTS, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY, AND AUTHORIZING THE CITY MANAGER'S DESIGNEE, WHO SHALL BE THE PROPERTY MANAGEMENT DIRECTOR, A LICENSED GENERAL CONTRACTOR, TO SELECT, NEGOTIATE, AND AWARD ALL CONTRACTS, AGREEMENTS, PURCHASE ORDERS, AND CHANGE ORDERS FOR THE PURCHASE OF ALL NECESSARY GOODS AND SERVICES (CONSTRUCTION AND PROFESSIONAL) RELATIVE TO ALL THE FY 05 CAPITAL RENEWAL AND REPLACEMENT FUND PROJECTS PROVIDING THAT ALL DOCUMENTS BE REVIEWED BY THE APPROPRIATE MEMBERS OF THE ADMINISTRATION, CITY ATTORNEY'S OFFICE, AND CONTAINS MINIMUM TERMS AND CONDITIONS AS SET FORTH IN THIS RESOLUTION; AND FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ANY AND ALL AGREEMENTS RELATIVE TO THE AFORESTATED PROJECTS.

### ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

### ANALYSIS

The work specified consists of all labor, machinery, tools, means of transportation, supplies, equipment, materials, and services necessary for the design, specifications development, construction documents, permitting, and construction work required for the completion of the projects.

Section 2-366 of the City Code, entitled Contract Procedures, states that all supplies and equipment, except as otherwise provided in this division, when the estimated cost thereof shall exceed \$25,000.00, shall be purchased by formal, written contract and/or purchase order from the lowest and best responsible bidder, after due notice inviting proposals; however, the City Commission shall have authority to waive execution of formal contract in cases where it deems it advisable to do so.

If the City's Property Management Director is approved as the General Contractor for these project, at times there will be a need for the acquisition of goods and services that may exceed the \$25,000 bidding threshold. As a result of the time needed to complete formal bid processes (i.e. 90-120 days) each time that Property Management Division has a need to augment its existing resources for goods and services in excess of \$25,000, these important projects will be placed on hold or delayed significantly. Pursuant to Section 2-367(e) of the City Code entitled *Rejection of bids; negotiation; waiver of competitive bidding*, the City Commission, upon written recommendation of the City Manager, may by resolution adopt by a five-sevenths vote of the City Commission a waiver of competitive bidding when the City Commission finds such waiver to be in the best interest of the City.

Any contracts in excess of \$25,000 awarded by the Property Management Director will be brought to the City Commission for ratification.

The following are reasons why the waiver of competitive bidding is in the best interest of the City:

- **Cost Reduction of Project Materials.**  
By utilizing in-house General Contractor services, the City will have the ability to purchase the majority of building materials needed for the project, directly from the manufacturer. External contractors would be required to purchase these materials from a supply house that would increase the costs of the purchase of supplies by adding stocking charges, plus overhead and profit on top of the manufacturer costs. This would provide a substantial saving to the City on material purchases for the project.
- **Savings of General Contractor and Subcontractor's overhead and Profit.**  
In outsourced projects, general contractors add a typical range of 15-20% on top of project cost for overhead expenses and profit. By using in-house services, this would be a direct cost savings to the City for these items. Additionally, as electrical, plumbing, HVAC, painting, and carpentry could also be provided under in-house services, limited sub-contractors would be required for the project. This would also provide savings to the City on overhead and profit costs that would also be required to be paid to the subcontractors.
- **Project Scheduling to Accommodate Special Needs.**  
Under routine contractual agreements, the General Contractor provides a workflow schedule that is inflexible in accommodating unforeseen circumstances or required change of workflow without the requirement of a project change order or additional costs. In-house contracting would provide flexibility of schedules to work with unforeseen circumstances including special needs, without the need for change orders or extra costs for the project.
- **Proven Track Record**  
Property Management has provided General Contracting services for the City on many past projects. These include the construction of the Electrowave facility on Terminal Island, the design and renovations of the Byron Carlyle Theater, The Lincoln Road Lighting and

Fountain Enhancement project, the Pinetree Park GO Bond project, the Fire Station #2 Maintenance Facility GO Bond project, the renovation of the VCA and 555 Buildings, ADA compliance projects Citywide, and multiple major renovations to City Hall, 21 Street Community Center, and the Historic City Hall Building.

**CONCLUSION:**

That the Mayor and City Commission adopt the attached Resolution which waives the competitive bidding requirements, finding such waiver to be in the best interest of the City, and authorizing the City Manager's designee, who shall be the Property Management Director, a Licensed General Contractor, to select, negotiate, and award all contracts, agreements, purchase orders, and change orders for the purchase of all necessary goods and services (construction and professional) relative to all the FY 05 Capital Renewal and Replacement Fund Projects (See attached List) providing that all documents be reviewed by the appropriate members of the Administration, City Attorney's Office, and contains minimum terms and conditions as set forth in this resolution; and further authorizing the Mayor and City Clerk to execute any and all agreements relative to the aforesated projects.

**Capital Renewal and Replacement**

	<b>Acct. #</b>	<b>Project Amt.</b>
Historic City Hall		\$ 500,000
Replace Floors at Fire Stations 1 and 3	125.6330.000676	\$ 120,000
Police Station Emergency Chiller Replacement	125.6331.069358	\$ 120,000
Police Gun Range Air Handling Unit	125.6332.069358	\$ 30,000
Replacing Two A/C Units at Fire Station 1	125.6333.069358	\$ 40,000
Public Works Operations Yard A/C Replacement	125.6334.069358	\$ 80,000
Police Station Water Sealing	125.6335.069358	\$ 63,000
City Hall Water Sealing	125.6336.069358	\$ 63,000
Fire Station 1 Domestic Water Line Replacement	125.6337.069358	\$ 45,000
Replace Three Air Handlers at the Police Station	125.6338.069358	\$ 99,000
Public Works Fire Alarm System Replacement	125.6339.069358	\$ 10,500
Contingency for Unforeseen Needs		\$ 176,570
<b>Total</b>		<b>\$ 1,347,070</b>
 Miami-Dade GO Bond - Historic City Hall		 \$ 2,000,000
<b>Total</b>		<b>\$ 3,347,070</b>

## **RESOLUTION TO BE SUBMITTED**

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**CITY OF MIAMI BEACH  
COMMISSION ITEM SUMMARY**



**Condensed Title:**

A Resolution setting a public hearing to waive the development regulations pursuant to section 142-425 (d) of the Land Development Regulations for the proposed surface parking lot at 137 Washington Avenue.

**Issue:**

Shall the Commission set a public hearing to waive to the City Codes for the surface lot located at 137 Washington Avenue?

**Item Summary/Recommendation:**

On December 6, 2001 the South Pointe Advisory Board recommended the relocation of the Community Garden, now known as the Victory Garden. The relocation of the Community Garden from 137 Washington Avenue to 226 Collins Avenue, and the subsequent construction of a surface parking lot at 137 Washington Avenue was confirmed by the Land Use and Development Committee on December 17, 2001 and approved on December 19, 2001 by the City Commission of the City of Miami Beach.

The Parking Department retained Bermello, Ajamil Architects (B&A) from the City's A/E rotational list to design and prepare construction documents for the new surface lot at 137 Washington Avenue. Since the lot is within the Historic District, a presentation to the Historic Preservation Board (HPB) was required. The HPB approved the design of the surface parking lot on February 10, 2004.

On May 5, 2004 Resolution No. 471-2004 appropriated \$335,500 including a 10% contingency from the South Pointe Redevelopment Agency TIF Funds in order to construct the parking lot at 137 Washington Avenue.

Increased construction costs, and other necessary items to complete the permit for the Department of Environmental Protection elevated the price to \$410,454 including all fees. The original amount appropriated was \$335,500 leaving a deficit of approximately \$75,000. Resolution No. 497-2005 was approved on February 23, 2005 appropriating \$75,000 from the South Pointe Redevelopment Agency TIF Funds in order to complete the funding necessary to construct the surface lot.

However, the parking lot plans are slightly nonconforming with respect to certain setbacks required by the City Code. A privately owned property would seek a variance from the Board of Adjustment to modify these requirements; the process for a publicly owned parcel is to seek a Waiver of Development Regulations, pursuant to Chapter 140 of the City's Land Development Regulations.

- Variance requested from:

Section 142-699. Setback requirements in the C-PS1, 2, 3, 4 districts.

Section 130-60. Commercial and noncommercial parking lots.

Section 130-63. Interior aisles.

Section 142-1132. Allowable encroachments within required yards.

The Administration recommends the adoption of a resolution setting a public hearing to consider waiving the development regulations pursuant to section 142-425 (d) of the Land Development Regulations for the proposed surface parking lot at 137 Washington Avenue.

**Advisory Board Recommendation:**

N/A

**Financial Information:**

Source of Funds:	Amount	Account	Approved
<input type="text"/>			

**City Clerk's Office Legislative Tracking:**

Camilo Arca ext 6962

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager
JEC	RCM	TH

T:\AGENDA\2005\Apr2005\Regular\137 Washington Setbacks Cover .doc

C-PKL137Wash-02-04202005-CA

AGENDA ITEM C7C

DATE 4-22-05

# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
www.miamibeachfl.gov



## COMMISSION MEMORANDUM

**To:** Mayor David Dermer and  
Members of the City Commission

**Date:** April 20, 2005

**From:** Jorge M. Gonzalez  
City Manager

**Subject: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SETTING A PUBLIC HEARING TO WAIVE THE DEVELOPMENT REGULATIONS PURSUANT TO SECTION 142-425 (d) OF THE LAND DEVELOPMENT REGULATIONS FOR THE PROPOSED SURFACE PARKING LOT AT 137 WASHINGTON AVENUE.**

### ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

### ANALYSIS

On December 6, 2001 the South Pointe Advisory Board recommended the relocation of the Community Garden now known as the Victory Garden. The relocation of the Community Garden from 137 Washington Avenue to 226 Collins Avenue, and the subsequent construction of a surface parking lot at 137 Washington Avenue, was confirmed by the Land Use and Development Committee on December 17, 2001 and approved on December 19, 2001 by the City Commission of the City of Miami Beach.

The Parking Department retained Bermello, Ajamil Architects (B&A) from the City's A/E rotational list to design and prepare construction documents for the new surface lot at 137 Washington Avenue. Since the lot is within the Historic District, a presentation to the Historic Preservation Board (HPB) was required. The HPB approved the design of the surface parking lot on February 10, 2004.

On May 5, 2004 Resolution No. 471-2004 appropriated \$335,500 including a 10% contingency from the South Pointe Redevelopment Agency TIF Funds in order to construct the parking lot at 137 Washington Avenue.

Increased construction costs, and other necessary items to complete the permit for the Department of Environmental Protection elevated the price to \$410,454 including all fees. The original amount appropriated was \$335,500 leaving a deficit of approximately \$75,000. Resolution No. 497-2005 was approved on February 23, 2005 appropriating \$75,000 from the South Pointe Redevelopment Agency TIF Funds in order to complete the funding necessary to construct the surface lot.

However, the parking lot plans are slightly nonconforming with respect to certain setbacks



required by the City Code. A privately owned property would seek a variance from the Board of Adjustment to modify these requirements; the process for a publicly owned parcel is to seek a Waiver of Development Regulations, pursuant to Chapter 140 of the City's Land Development Regulations.

The following items require waiver of development regulations:

1. Waive 3'-4" of the minimum required 5'-0" interior side yard setback in order to permit the construction of the parking lot 1'-8" from the north property line.
  2. Waive 1'-7" of the minimum required 5'-0" interior side yard setback in order to permit the construction of the parking lot 3'-5" from the south property line.
  3. Waive 1'-0" of the minimum required 11'-0" interior isle one-way traffic in order to permit the construction of the parking lot with 10'-0" interior isles driveway width.
  4. Waive 1'-7" of the minimum required 18'-10" for a forty-five degree angle parking row width in order to permit the construction of a parking lot with 17'-3" forty-five degree angle parking row width.
- Variance requested from:

**Section 142-699. Setback requirements in the C-PS1, 2, 3, 4 districts.**

(a) The setback requirements in the C-PS1, 2, 3, 4 districts are as follows:  
Parking lots and garages – if located on the same lot as the main structure the above setbacks shall apply, if primary use the setbacks are listed in section 142-1132(n).  
(referenced correction: 130-69)

**Section 130-60. Commercial and noncommercial parking lots.**

Commercial and noncommercial parking lots as a main use on a separate lot shall be subject to the following regulations, in addition to the other regulations of this article:

- (1) The required front and rear yards shall be those of the underlying district.
- (2) The required side yards shall be as follows:  
Between 56 and 100 feet, inclusive – Five feet

**Section 130-63. Interior aisles.**

Interior aisles shall meet or exceed the following minimum dimensions permitted:  
Forty-five degree parking – 11 feet / parking row width: 18'-10"

5. Waive a range of 3'-6" and 6'-6" of the minimum required interior side setbacks in order to permit three (3) lightpoles to be set back between 1'-0" and 4'-0" from the south property line and to exceed the maximum permitted height of 10'-0" by 2'-0" in order to permit an overall height of 12'-0".
6. Waive 6'-6" of the minimum required interior side setbacks in order to permit three (3) lightpoles to be set back between 1'0" from the north property line and to exceed the maximum permitted height of 10'-0" by 2'-0" in order to permit an overall height of 12'-0".

- Variance requested from:

**Section 142-1132. Allowable encroachments within required yards.**

**(k) Lightpoles. In all districts:**

**(l) Lightpoles shall have a maximum height of ten (10) feet. Lightpoles shall be located 7 ½ feet from any property line except that when such property line abuts a public right-of-way, or waterway there shall be no required setback.**

**(2) All light from lightpoles shall be contained on-site or on any public right-of-way as required by the City Code.**

Pursuant to Section 142-425 (d) the Mayor and City Commission may waive development regulations following a noticed public hearing advertised in a newspaper at least fifteen (15) days prior to the hearing.

**CONCLUSION**

The Administration recommends the adoption of a resolution setting a public hearing to consider waiving the development regulations pursuant to section 142-425 (d) of the Land Development Regulations for the purpose of constructing the proposed surface parking lot at 137 Washington Avenue.

T:\AGENDA\2005\Apr2005\Regular\137 Washington Setback Memo.doc

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF  
THE CITY OF MIAMI BEACH, FLORIDA, SETTING A PUBLIC  
HEARING TO WAIVE THE DEVELOPMENT REGULATIONS  
PURSUANT TO SECTION 142-425 (d) OF THE CITY CODE FOR  
THE PROPOSED SURFACE PARKING LOT AT 137  
WASHINGTON AVENUE.**

**WHEREAS**, on December 6, 2001, the South Pointe Advisory Board recommended the relocation of the Community Garden, now known as the Victory Garden; and

**WHEREAS**, the relocation of the Community Garden, from 137 Washington Avenue to 226 Collins Avenue, and the subsequent construction of a surface parking lot at 137 Washington Avenue, was confirmed by the Land Use and Development Committee on December 17, 2001, and approved by the City Commission on December 19, 2001; and

**WHEREAS**, the City retained Bermello, Ajamil Architects (B&A) (from the City's A/E rotational list) to design and prepare construction documents for the new surface lot at 137 Washington Avenue; and

**WHEREAS**, since the lot is within a Historic District, a presentation to the Historic Preservation Board (HPB) was required; the HPB approved the design of the proposed surface parking lot at it's meeting on February 10, 2004; and

**WHEREAS**, on May 5, 2004, Resolution No. 471-2004 appropriated \$335,500 (including a 10% contingency) from the South Pointe Redevelopment Area TIF Funds in order to construct the parking lot at 137 Washington Avenue; and

**WHEREAS**, increased construction costs, and other necessary items to complete the permit for the Department of Environmental Protection elevated the price to \$410,454, including all fees; and

**WHEREAS**, as the original amount appropriated was \$335,500, Resolution No. 497-2005 was approved on February 23, 2005 appropriating \$75,000 from the South Pointe Redevelopment Area TIF Funds, in order to complete the funding necessary to construct the surface lot; and

**WHEREAS**, the parking lot plans are slightly nonconforming with respect to certain setbacks required by the City Code; the process for a publicly owned parcel is to

seek a waiver of development regulations, pursuant to Section 142-425 (d) of the City Code; and

**WHEREAS**, pursuant to Section 142-425 (d), the Mayor and City Commission may waive development regulations following a noticed public hearing advertised in a newspaper at least fifteen (15) days prior to the hearing.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and Commission hereby set a public hearing, to be held in the City Commission Chambers, 3<sup>rd</sup> Floor, 1700 Convention Center Drive, Miami Beach, Florida, to consider waiving the development regulations pursuant to Section 142-425 (d) of the City Code for the purpose of constructing the proposed surface parking lot at 137 Washington Avenue.


**PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2005**

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

 4-14-05  
City Attorney Date

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**CITY OF MIAMI BEACH  
COMMISSION ITEM SUMMARY**



**Condensed Title:**

A Resolution Authorizing The Donation Of Three (3) Ford Crown Victoria Police Pursuit Vehicles In "As Is" Condition To The Miami-Dade College School Of Justice.

**Issue:**

Shall the Mayor and City Commission adopt the Resolution authorizing the donation of three (3) Ford Crown Victoria police pursuit vehicles in "as is" condition to the Miami-Dade College School of Justice?

**Item Summary/Recommendation:**

The City wishes to donate three (3) Police pursuit vehicles pursuant to City of Miami Beach Ordinance No. 2002-3372, adopted on the 19<sup>th</sup> day of June 2002, regarding donations of surplus stock. The three Police pursuit vehicles are being donated to the Miami-Dade College School of Justice to offset costs associated with the City's use of its police driving range. The three (3) vehicles to be donated were selected from vehicles already replaced by three (3) 2005 Ford Crown Victoria police pursuit vehicles. The estimated salvage value of each vehicle to be donated is \$3,200.00 or a total of \$9,600.00.

The Administration recommends adopting the Resolution.

**Advisory Board Recommendation:**

N/A

**Financial Information:**

**Amount to be expended:**

Source of Funds:	Amount	Account	Approved
<input type="text"/>			
<b>Total</b>			

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager
AET DD	GL	RCM
		JMG

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AGENDA ITEM C7D  
DATE 4-20-05

# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
www.miamibeachfl.gov



## COMMISSION MEMORANDUM

**To:** Mayor David Dermer and  
Members of the City Commission

**Date:** April 20, 2005

**From:** Jorge M. Gonzalez  
City Manager

**Subject:** **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE DONATION OF THREE (3) FORD CROWN VICTORIA POLICE PURSUIT VEHICLES IN "AS IS" CONDITION TO THE MIAMI-DADE COLLEGE SCHOOL OF JUSTICE.**

### ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

### ANALYSIS

The Administration is recommending that the City Commission approve the donation of three (3) Police pursuit vehicles pursuant to City of Miami Beach Ordinance No. 2002-3372, adopted on the 19<sup>th</sup> day of June 2002, regarding donations of surplus stock. The three (3) Police pursuit vehicles are being donated to the Miami-Dade College School of Justice to offset costs associated with the City's use of its police driving range. The City's use of the police driving range will include, but not limited to, two sessions per month to train all Miami Beach Police personnel one day per year, five sessions per year for the Citizens Police Academy program and two sessions per year for the Special Investigations Unit. The estimated annual cost of the driving range program is \$18,315.00.

In January of 2000, the City Commission began the donation of Police pursuit vehicles to the Southeast Florida Institute of Criminal Justice now known as the Miami-Dade College School of Justice. The MDC School of Justice is a "Not for Profit" organization which provides driver training to police agencies. Other local municipalities that have donated police pursuit vehicles to offset costs associated with the use of the police driving range are the City of Miami, City of Pembroke Pines and the Town of Davie. Municipalities that do not donate vehicles to the MDC School of Justice must pay full costs for the use of the driving range.

The three (3) vehicles to be donated were selected from the vehicles that have already been replaced with three (3) 2005 Ford Crown Victoria Police pursuit vehicles. The estimated salvage value of each vehicle is \$3,200.00 or a total of \$9,600.00.

The City is donating to the MDC School of Justice, three (3) Ford Crown Victoria Police pursuit vehicles in "as is" condition. The City makes no representation as to the condition of the vehicles, no warranties, expressed or implied, and assumes no responsibility.

Vehicle Donation  
April 20, 2005  
Page 2

The Administration recommends that the Mayor and City Commission of the City of Miami Beach, Florida, adopt the Resolution to authorize the donation of three (3) Ford Crown Victoria Police pursuit vehicles to the Miami-Dade Community College School of Justice.

 JMG/RCM/DD/GL/AET/mo

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RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE DONATION OF THREE (3) FORD CROWN VICTORIA POLICE PURSUIT VEHICLES IN "AS IS" CONDITION TO THE MIAMI-DADE COLLEGE SCHOOL OF JUSTICE.**

**WHEREAS**, the City wishes to donate three (3) Ford Crown Victoria Police pursuit vehicles, with an estimated total value of \$9,600.00, in their "as is" condition, to the Miami-Dade College School of Justice; and

**WHEREAS**, no funds are required from the City for the donation of these vehicles; and

**WHEREAS**, this donation is made in "as is" condition, and the City makes no representation as to the condition of the vehicles, and no warranties, expressed or implied, and assumes no responsibility for said vehicles.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the City hereby donates three (3) Ford Crown Victoria Police pursuit vehicles to the Miami-Dade College School of Justice; said donation in "as is" condition, with no warranties, expressed or implied, and with the City assuming no further responsibility for same.

**PASSED and ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
**MAYOR**

**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**

**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

  
\_\_\_\_\_  
City Attorney      Date 4-11-05

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**CITY OF MIAMI BEACH  
COMMISSION ITEM SUMMARY**



**Condensed Title:**

A Resolution Authorizing The City Manager To Apply For And Accept/Support The Following Six (6) Grant Applications And To Execute One (1) Memorandum Of Understanding For Grant Funds.

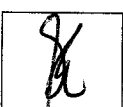
**Issue:**

Shall the City Apply And Accept/Support The Following Grants And The Memorandum Of Understanding?

**Item Summary/Recommendation:**

The Administration Requests Approval To Authorize The City Manager Or His Designee To Submit Grant Applications To The Following Agencies: 1) The Children's Trust, FY 2005/06 Promotion And Prevention Program For Funding, In An Amount Not To Exceed \$400,000, For City Programs; 2) Federal Emergency Management Agency (FEMA), FY 05/06 Hazard Mitigation Funding Program, For Funding, In An Amount Not To Exceed \$18,000,000, For Hazard Mitigation Activities; 3) US Department Of Homeland Security Office Of Domestic Preparedness For The FY 2005 Assistance To Firefighters Grant Program In An Amount Not To Exceed \$150,000; 4) US Department Of State, Cultural Facilities Grant Program For Funding In An Amount Not To Exceed \$500,000 For The Colony Theater Renovation Project; 5) Miami-Dade County Homeless Trust For Funding In An Amount Not To Exceed \$70,000 For The City's Supportive Housing Program; 6) State Of Florida, Department Of Historic Preservation In An Amount Not To Exceed \$25,000 For Funding For Professional Services To Assist In Preparing The Analysis And Documentation Related To A National Register Nomination; And, 7) Execute A Memorandum Of Understanding Between The City Of Miami Beach And Miami-Dade County For Funding In An Amount Not To Exceed \$42,998 From The US Office Of Domestic Preparedness FY 2004/5 State Homeland Security Grant Program For The Purpose Of Making The Miami-Dade County Terrorism Response Plan Operational; Further Appropriating The Grants If Approved And Accepted By The City; And Authorizing The Execution Of All Necessary Documents Related To This Application While Leveraging Previously Appropriated City Funds As Needed.

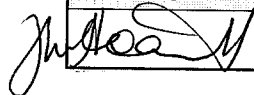

**Financial Information:**

Source of Matching Funds:	Grant Name/Project	Grant Amount	Match Amount/Source
 Finance Dept.	1-The Children's Trust: FY 2005/06 Promotion And Prevention Program	\$400,000	Various City Department's Operating Budget
	2-FEMA Hazard Mitigation Program: Drainage Projects	\$18,000,000	Matching Funds From The Stormwater Bond Issue
	3 - US Department Of Homeland Security Office Of Domestic Preparedness - FY 2005 Assistance To Firefighters Grant Program	\$150,000	20% Match Required - Fire Department Operating Budget
	4 - US Department Of State, Cultural Facilities Grant Program	\$500,000	\$1,000,000 from City Center Redevelopment Agency funding
	5 - Miami-Dade County Homeless Trust - Supportive Housing Program	\$70,000	In-kind Matching Funds (Neighborhood Services Department Operating Funds)
	6 - State Of Florida, Department Of Historic Preservation - The Analysis And Documentation	\$25,000	In-kind Matching Funds (Planning Department Salaries)

**City Clerk's Office Legislative Tracking:**

Judy Hoanshelt, Grants Manager, Office of Budget and Performance Improvement

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager
		

AGENDA ITEM C7E  
DATE 4-20-05

# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
www.miamibeachfl.gov



## COMMISSION MEMORANDUM

**To:** Mayor David Dermer and  
Members of the City Commission

**Date:** April 20, 2005

**From:** Jorge M. Gonzalez  
City Manager

**Subject:** **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SUBMIT APPLICATIONS FOR GRANT FUNDS TO THE FOLLOWING AGENCIES: 1) THE CHILDREN'S TRUST, FY 2005/06 PROMOTION AND PREVENTION PROGRAM FOR FUNDING, IN AN AMOUNT NOT TO EXCEED \$400,000, FOR CITY PROGRAMS; 2) FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FY 05/06 HAZARD MITIGATION FUNDING PROGRAM, FOR FUNDING, IN AN AMOUNT NOT TO EXCEED \$18,000,000, FOR HAZARD MITIGATION ACTIVITIES; 3) US DEPARTMENT OF HOMELAND SECURITY OFFICE OF DOMESTIC PREPAREDNESS FOR THE FY 2005/06 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM IN AN AMOUNT NOT TO EXCEED \$150,000; 4) US DEPARTMENT OF STATE, CULTURAL FACILITIES GRANT PROGRAM FOR FUNDING IN AN AMOUNT NOT TO EXCEED \$500,000 FOR THE COLONY THEATER RENOVATION PROJECT; 5) MIAMI-DADE COUNTY HOMELESS TRUST FOR FUNDING IN AN AMOUNT NOT TO EXCEED \$70,000 FOR THE CITY'S SUPPORTIVE HOUSING PROGRAM; 6) STATE OF FLORIDA, DEPARTMENT OF HISTORIC PRESERVATION IN AN AMOUNT NOT TO EXCEED \$25,000 FOR FUNDING FOR PROFESSIONAL SERVICES TO ASSIST IN PREPARING THE ANALYSIS AND DOCUMENTATION RELATED TO A NATIONAL REGISTER NOMINATION; AND, 7) EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MIAMI BEACH AND MIAMI-DADE COUNTY FOR FUNDING IN AN AMOUNT NOT TO EXCEED \$42,998 FROM THE US OFFICE OF DOMESTIC PREPAREDNESS STATE HOMELAND SECURITY GRANT PROGRAM FY 2004/5 FOR THE PURPOSE OF MAKING THE MIAMI-DADE COUNTY TERRORISM RESPONSE PLAN OPERATIONAL; FURTHER APPROPRIATING THE GRANTS IF APPROVED AND ACCEPTED BY THE CITY; AND AUTHORIZING THE EXECUTION OF ALL NECESSARY DOCUMENTS RELATED TO THIS APPLICATION.**

## ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

1. Approval to submit a grant application to The Children's Trust, FY 2005/06 Promotion And Prevention Program for funding, in an amount not to exceed \$400,000, for City Programs

The Children's Trust was created by voter referendum in 2002 as a source of funding to meet the needs of children in Miami-Dade County. The goal of the Children's Trust is to fund programs that offer the highest possible quality services, with the goals of implementing best practices and improving the lives of children and families in Miami-Dade County. The Children's Trust Promotion and Prevention Program provides funding for innovative programs that promote child health, development, safety and parental and community responsibility.

Promotion and prevention services are targeted at programs for children and youth ages birth to 18, and their families. The fiscal year 2005-6 budget is \$8,760,327 countywide. The funding period will be from August 1, 2005 through July 31, 2006. The Administration proposes applying to The Children's Trust for funding of programs that serve youth and children, related to the stated goals of the program. The City anticipates applying for funding to address positive youth development and child physical health and well-being.

The deadline for this grant is May 4, 2005. The Children's Trust does not require matching funds; however the Trust will assign preference to applications that leverage resources to support the proposed service. Matching funds will be provided from various City Department's operating budgets.

2. Approval to submit a grant application to The Federal Emergency Management Agency (FEMA), FY 2005/06 Hazard Mitigation Funding Program, for funding, in an amount not to exceed \$18,000,000, for hazard mitigation activities.

The Federal Emergency Management Agency (FEMA), FY 2005/06 Hazard Mitigation Grant Program is authorized by Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (PL 93-288, as amended). It is a partnership that is designed to assist states, local governments, private, non-profit organizations and Indian Tribes in implementing long-term hazard mitigation measures following a major disaster declaration.

FEMA defines hazard mitigation as an action intended to reduce repetitive losses from future natural disasters. The objectives of the Hazard Mitigation Grant Program are: 1) To prevent future losses of lives and damage to property due to disasters; 2) To implement state or local hazard mitigation plans; 3) To enable mitigation measures to be implemented during immediate recovery from a disaster; and 4) To provide funding for previously identified mitigation measures that benefit the disaster area.

Although the Hazard Mitigation Grant Program is federally funded, the program is administered through a partnership arrangement with the Florida Department of Community Affairs.

The Administration proposes applying for Hazard Mitigation funds for various drainage projects. The City has already developed a comprehensive Stormwater Management Master Plan that is consistent with Miami-Dade County's Master Plan. In addition, the Administration has, pursuant to the regulations listed the City's drainage projects, in Miami-Dade County's Local Mitigation Strategy (LMS). As such, drainage projects that are categorized as high-priority drainage basins in the Stormwater Master Plan will be submitted to FEMA for funding.

Federal Hazard Mitigation Grant Program funds made available by a declared disaster can provide up to 75% of the costs of an approved mitigation project. The remaining project costs must be met by the applicant. The City has matching funds available in the Stormwater Bonds. The grant deadline is May 2, 2005.

3. Retroactive approval to submit a grant application to the US Department of Homeland Security, Office of Domestic Preparedness for The 2005 Assistance to Firefighters Grant Program in an amount not to exceed \$150,000;

The U.S Department of Homeland Security, Office of Domestic Preparedness, through its Assistance to Firefighters Grant Program provides funding to assist local fire departments in their ability to protect the health and safety of the public as well as that of firefighting personnel facing fire and fire-related hazards. The grant is funded in cooperation with the US Fire Administration and assists rural, urban and suburban fire departments throughout the United States.

The Assistance to Firefighters Grant provides funding for training for our firefighters. The City is requesting approval to apply for funding in an amount not to exceed \$150,000. The Administration is requesting funding for training which will result in certification as set forth by the State of Florida for our fire professionals. The training will meet or exceed all of the code provisions and requirements set forth by NFPA 1670. The grant requires 20% in matching funds, the City has matching funds available from the Fire Department operating budget.

4. Approval to apply to the US Department of State, Cultural Facilities Grant Program for funding in an amount not to exceed \$500,000 for the Colony Theater Renovation Project.

The purpose of the Cultural Facilities Program is to coordinate and guide the State of Florida's support and funding of renovation, construction, or acquisition of cultural facilities.

The Administration is requesting funding in the amount of \$500,000 to complete Phase 3 renovations to the Colony Theater, which includes additional restoration to return the entire exterior façade of the building to its original setting. The project is anticipated to be complete in September 2005. The City has matching funding for this project in the amount of \$1,000,000 from City Center Redevelopment Agency funding. The deadline for technical review of this grant application is April 25, 2005.

5. Approval To Submit a Grant Application to Miami-Dade County Homeless Trust for funding in an amount not to exceed \$70,000 for the City's Supportive Housing Program;

Miami-Dade County, through the Miami-Dade County Homeless Trust and the Miami-Dade Housing Agency, is requesting applications from homeless providers and other qualified entities interested in participating in a consolidated application for funding from the United States Department of Housing and Urban Development (U.S. HUD) through its Super Notice of Funding Availability for homeless assistance programs; the Supportive Housing Program and the Shelter Plus Care Program.

The City has received this funding in the past, and requests approval to apply for funding for the Supportive Housing Program. Grant funds will be requested for funding of salaries of Homeless Outreach Coordinators in the Homeless Division of Neighborhood Services. The City anticipates applying for funding in an amount not to exceed \$70,000. The City will leverage this grant with operating funds from the Community Services Division. The deadline for submission of this grant is May 4, 2005.

6. Retroactive approval to submit a grant application to the State of Florida, Department of Historic Preservation in an amount not to exceed \$25,000 for funding for professional services to assist in preparing the analysis and documentation related to a National Register nomination.

The State of Florida provides grants to assist in the identification, excavation, protection, and rehabilitation of historic and archaeological sites in Florida; to provide public information about these important resources; and to encourage historic preservation in smaller cities. Types of historic preservation projects that can be funded include Survey and Planning activities (including surveying for historic properties, preparing National Register nominations, and preparing ordinances or preservation plan.

The Administration has submitted an application for funding of a Professional Services Consultant to assist in preparing the analysis and documentation related to multiple districts in the North Beach neighborhood which features Post War Modern architecture, dubbed "Miami Modern", or "Mimo".

The grant will enable the City to engage a consultant for research and documentation, supplemented by in-kind services from City staff. The intent is to prepare a Multiple Property Documentation Form and associated historic district nominations for two neighborhoods that contain approximately 750 contributing buildings – North Shore and Normandy Village.

The grant is pending approval from the State. The grant requires matching funds, in the form of an in-kind match, or cash. The City will provide in-kind matching funds for this grant. Matching funds will be comprised of City staff time in the Planning Department dedicated to this project.

7. Approval to execute a Memorandum of Understanding between the City of Miami Beach and Miami-Dade County for funding in an amount not to exceed \$42,998 from the US Office of Domestic Preparedness State Homeland Security Grant Program FY 2004/5 for the purpose of making the Miami-Dade county terrorism response plan operational

Funding is available, from the Federal Department of Homeland Security, through the State of Florida, Department of Community Affairs for protecting public health and safety. The Miami-Dade County Terrorism Response Plan is an operational plan that defines the roles and responsibilities of responding agencies from various cities, including Miami Beach, Hialeah, Miami and Coral Gables. The Miami-Dade County Office of Emergency Management will act as project manager for the funds and will be responsible for evaluating the procedures. The City will need to enter into a Memorandum of Understanding with the County to access these funds. Matching funds are not required.

### **CONCLUSION**

The Administration recommends approval of this Resolution authorizing the City Manager or his designee to submit six (6) applications and to execute one (1) Memorandum of Understanding for grant funds.

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## **RESOLUTION TO BE SUBMITTED**

CITY OF MIAMI BEACH  
COMMISSION ITEM SUMMARY



**Condensed Title:**

A Resolution recommending the appointments three (3) to the Private Sector Business Seat to the South Florida Workforce Board of the South Florida Employment and Training Consortium.

**Issue:**

Shall the City Commission recommend three (3) appointments to the Private Sector Business Seat to the South Florida Workforce Board?

**Item Summary/Recommendation:**

Under the terms of the Consortium Agreement, whose legislative body consists of representatives of Miami-Dade County, Monroe County, City of Hialeah, City of Miami, and City of Miami Beach, the City of Miami Beach Commission must make a Private Sector Business Seat appointment to the South Florida Workforce Board to oversee workforce development activities. The following candidates' names are presented for the selection of appointments to the Workforce Board:

Orlando Alvarez- Resident, Chairperson of the Personnel Board, and Vice President of Marketing & Development at Mercy Hospital

Frank Pintado- President of VIP Parking System, Standard Parking


Donna M. Duplantis – Director of Human Resources, Eden Roc Renaissance Resort and Spa

Administration recommends approving the resolution.

**Advisory Board Recommendation:**

N/A


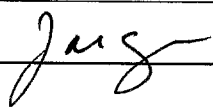
**Financial Information:**

Source of Funds:   Finance Dept.		Amount	Account	Approved
	1			
	2			
	3			
	4			
	Total			

**City Clerk's Office Legislative Tracking:**

Mayra D. Buttacavoli

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager
		

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AGENDA ITEM C7F  
DATE 4-20-05

# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
www.ci.miami-beach.fl.us



## COMMISSION MEMORANDUM

**To:** Mayor David Dermer and  
Members of the City Commission

**Date:** April 20, 2005

**From:** Jorge M. Gonzalez  
City Manager

**Subject: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, RECOMMENDING THE APPOINTMENTS (3) TO THE PRIVATE SECTOR BUSINESS SEAT TO THE SOUTH FLORIDA WORKFORCE BOARD OF THE SOUTH FLORIDA EMPLOYMENT AND TRAINING CONSORTIUM.**

### ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

### ANALYSIS

On July 1, 2004, the Mayor and Commission, adopted Resolution No. 2004-25610, continuing an Agreement with the South Florida Employment and Training Consortium (SFETC). The purpose of this Consortium is to implement and operate an intergovernmental liaison office so as to continue to conduct programs on an area-wide basis under the Workforce Investment Act of 1998. This provides employment and training opportunities for the economically disadvantaged, unemployed, underemployed, or individuals otherwise meeting the eligibility criteria of any program operated under this Agreement.

Under the terms of the Consortium Agreement, whose legislative body consists of representatives of Miami-Dade County, Monroe County, City of Hialeah, City of Miami, and City of Miami Beach, the City of Miami Beach Commission must recommend three (3) Private Sector Business Seat appointments to the South Florida Workforce Board to oversee workforce development activities (attachment 1). The first appointment is Mr. Margolis, whose term expired on June 30, 2004. The second appointment has been filled by Raymond Adrian. Edith Humes-Newbold, Executive Director for the SFETC has notified the City that Mr. Adrian is employed by the Operator of the City's One Stop Center and he is in an inappropriate board seat. The third seat is vacant (attachment 2).

The individuals appointed should represent the industries that do significant hiring in the Region, understand the hiring and training needs of segments of the local business community, represent significant segments of the jobseeker community, and represent the partners in the workforce system mandated by the Region's federal and/or state funding sources (attachment 3). The following candidates' names are presented for appointments to be recommended to the Workforce Board:

- Orlando Alvarez- Resident, Chairperson of the Personnel Board, Vice President of Marketing and Development at Mercy Hospital.
- Frank Pintado- President of VIP Parking System, Standard Parking.
- Donna M. Duplantis-Director of Human Resources, Eden Roc Renaissance Resort and Spa

## **CONCLUSION**

The Administration recommends that the Mayor and City Commission recommend the appointment of three (3) candidates for the Private Sector Business Seat to the South Florida Workforce Board for a two (2) year term.

JMG:MDB:ys 

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## **THE SOUTH FLORIDA WORKFORCE BOARD**

The South Florida Workforce Board is chartered by the Governor of the State of Florida to oversee the federal and state funded workforce system that serves Miami-Dade and Monroe Counties. The Board is one of 24 workforce investment boards in the State of Florida, and one of more than 600 such boards across the nation. Formerly referred to as Private Industry Councils, these local boards have been established to develop and oversee the policies that shape workforce system investments and tailor them to the needs of the local community.

The South Florida Workforce Board oversees more than \$100,000,000 a year in federal and state workforce funds for the Miami-Dade and Monroe County Region. The Board is appointed by the five local governments that make up the South Florida Employment and Training Consortium and share with the Board approval authority over the Board's annual plan, its annual budget, and the selection of the workforce system's one-stop operators. The five governments that comprise the South Florida Employment and Training Consortium are: Miami-Dade County, Monroe County, and the Cities of Miami, Hialeah, and Miami Beach.

The South Florida Workforce Board has recently been reconfigured into a 45-member Board that has a private sector majority and a private sector Chair, and includes representation of the following:

- The Private Sector Business Community
- Economic Development
- Public Education
- Private Education
- Organized Labor
- Community Based Organizations
- Local Elected Officials
- State Agencies
- Mandated One-Stop Partners

**South Florida Workforce  
Board Members and Vacancies  
as of 11/22/04**

**City of Miami Beach**

<b>CATEGORY</b>	<b>FIRST NAME</b>	<b>LAST NAME</b>	<b>TITLE</b>	<b>COMPANY</b>	<b>TERM EXP.</b>
Private Sector (Business)	Raymond	Adrian	Director of Operations	Mariell Adrian Couture	06/30/05
Private Sector (Business)	Edward	Margolis	Realtor	Koslovsky Realty	06/30/04
Private Sector (Business)					

## EXPECTATIONS FOR SFW BOARD MEMBERS

South Florida Workforce Board Members are expected to be CEOs or executives with substantial policymaking or hiring authority who have a strong interest in workforce issues --

- how to enhance the quality of the Region's workforce,
- what types of training programs are most needed,
- how best to serve the jobseeker and employer community to meet hiring and skill upgrade needs,
- how to enhance the career prospects and earning capabilities of job seekers, and
- how to enhance the competitive edge of local businesses and the economic development of the Region.

The individuals to be appointed should:

- represent the industries that do significant hiring in the Region, or
- understand the hiring and training needs of segments of the local business community, or
- represent significant segments of the jobseeker community, or
- represent the partners in the workforce system mandated by the Region's federal and/or state funding sources.

Board members should expect to invest at least four hours a month in Board activities.

- Board meetings are held 4 to 6 times a year, generally on Wednesday mornings, and generally take 2 to 3 hours.
- Agenda packages are delivered 5 business days before meetings and are reviewed by Board members prior to the meetings.
- Board Members must serve on at least one Board committee. Each committee meets approximately monthly, but generally no more than 10 times a year. Committee meetings are generally held in morning hours and generally take no more than 1 to 2 hours.
- Board Members are expected to attend scheduled meetings of the Board and their committee(s). Board Members may not send designees to participate on their behalf.
- Board Members may be removed for excessive absenteeism if they miss 3 or more Board meetings in a year and/or 50% of their committee's meetings.
- The Board's committees include:
  - Finance Committee
  - Programmatic Committee
  - Welfare-to-Work Committee
  - Youth Council
  - High-Skill/High-Wages Committee
  - Marketing Committee
  - Employer Services Committee
  - Legislative Committee
- The Board's Executive Committee, which meets at least once a month and occasionally more often, is made up of the Board's Officers and the Co-Chairs of the Board's committees.
- Most of the work of the Board is done at the committee level. The committees recommend actions to the Executive Committee which makes its recommendations to the full Board. The Executive Committee is authorized to take needed actions on behalf of the Board between regularly scheduled Board meetings, subject to ratification by the full Board.

Board members are appointed for 2-year terms and may be reappointed at the discretion of the appointing government jurisdiction. Appointment terms are staggered so that no more than half of the Board needs to be replaced or reappointed in any given year.

City of Miami Beach  
Private Sector

### MEMBER NOMINATION/DATA FORM

Complete the following information for each individual being nominated for membership. Private sector business members shall be owners of business concerns, chief executive or chief operating officers or non-governmental employers of other private sector executives who have substantial policy or management responsibility.

Name of Nominee: Orlando L. Alvarez, Jr.

Title: Vice President, Marketing & Development

Company: Mercy Hospital

Address: 3663 South Miami Ave.

Phone: 305-860-4613 Fax: 305-860-4723 E-Mail Address: oalvarezjr@mercymiami.org

If private sector business nominee, check one:

☐ Owner ☐ Chief Executive Officer ☐ Chief Operating Officer ☐ Management or Policy Responsibility

If non-private sector nominee, check one of the following:

☒ Community-Based Org. ☐ Vocational Rehabilitation ☐ Organized Labor  
☐ School District ☐ Community College ☐ Public Assistance  
☐ Employment Service ☐ Economic Development ☐ Local Elected Official  
☐ One-Stop Partner ☐ Military

**Attach a brief bio, listing the nominee's educational and professional accomplishments and affiliations.**

Nominating Organization: \_\_\_\_\_

Name and Title of Person Making Nomination: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Address/Phone Number: \_\_\_\_\_

RETURN COMPLETED FORM TO:

Edith Humes-Newbold, Executive Director  
South Florida Workforce  
7300 Corporate Center Drive (NW 19<sup>th</sup> Street), Suite 500  
Miami, FL 33126-1234  
TEL (305) 594-7615 ext. 369  
FAX (305) 470-5523



4301 COLLINS AVENUE  
APT. 807  
MIAMI BEACH, FL 33140

TELEPHONE: (305) 531-8510  
OFFICE DIRECT: (305) 860-4613

## ORLANDO L. ALVAREZ, JR.

### PROFESSIONAL CAPABILITIES

---

- *Market research & strategic planning*
- *Branding, image and positioning*
- *E- strategies and database marketing*
- *Creation of Physician Development Programs*
- *Government Relations & Public Health Policy*
- *Managed care negotiation and contracting*
- *Joint ventures and acquisitions*
- *Creation of high revenue producing marketing programs*

### EXPERIENCE

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1997-Present  
Mercy Health System  
Miami, FL

*Vice President, Marketing & Development*

*Executive responsibilities for Marketing, Public Relations, Government Relations, International Patient Services, Physician Development and Retention.*

- Directs all marketing, public relations and business development initiatives domestic and international.
- Responsible for development and execution of multi-million dollar branding campaign
- Leads Physician Development Program to increase physician loyalty
- Develops, implements and directs e-strategies
- Executive leader for crisis communication, and hospital spokesperson.
- Develops and executes advocacy strategies and directs governmental initiatives

1995-1997  
OrNda HealthCorp  
Indianapolis, IN

*Assistant Administrator, Development & Managed Care*

*Senior management position responsible for marketing, public relations, IPA development, management of ten hospital owned physician practices, managed care and physician development*

- Directed all Marketing and Public Relations functions
- Responsible for developing a multi-specialty IPA
- Developed Indiana's first state-wide Podiatric IPA
- Re-engineered the emergency room department including management restructuring, managed care contracting, and marketing, efforts resulted in a 34% increase in the number of ER visits
- Consolidated managed care functions between hospital based MSO with organization's managed care structure
- Launched products which resulted in a 14% increase in admissions
- Responsible for all managed care contracting and renegotiations
- Supervised physician recruitment and development activities

1993-1995  
OrNda South Florida  
Miami, FL

*Director of Business Development*

*Responsible for business development and managed care for South Florida region of OrNda Healthcorp, a fifty hospital investor owned acute care network, acquired by Tenet Healthcare Corporation*

- Successfully oversaw the consolidation of regional business development functions
- Responsible for negotiation and renegotiations of all managed care contracts
- Managed budget tying all expenditures to product lines, while tracking for R.O.I.
- PHO development through risk contracting and achieving delegation from managed care payors
- MSO development establishing a 16 hospital tri-county network, which included hospital and physician networks
- Developed Industrial Medicine IPA
- Directed physician acquisitions, cultivation, recruitment, redirection, and retention efforts
- Implemented satellite clinic strategy; opened ten locations impacting census and out-patient volume
- Regionalized media buying between five OrNda hospitals to achieve a 15% savings

1991-1993  
Humana Medical Plans  
Miami, FL

*Administrator*

*Administrator of three Humana affiliated staff model HMO centers with 10,000 Medicare lives*

- Responsible for all operational aspects of patient care
- Directed AR/AP management and accrual accounting system and reporting
- Supervised claims adjudication and processing
- Developed IBNR tracking system to manage IBNR on a monthly basis
- Negotiated and executed all specialty and ancillary contracts, both in capitated and fee-for-service payment structures
- Successfully targeted and implemented marketing strategy which resulted in a membership increase of 20% in one year

## EDUCATION

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- Bachelor of Arts, Bennington College, 1991

## AFFILIATIONS

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- Chair, Personnel Board, City of Miami Beach
- Board Member, Coconut Grove Playhouse
- Board Member, Brickell Area Association
- Executive Board Member, American Cancer Society, Miami-Dade County
- Member, American College of Healthcare Executives
- Member, Society for Healthcare Strategy and Market Development
- Prior President, Coconut Grove Chamber of Commerce
- Member, Central Dade Taskforce on Public Health

## AWARDS

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- 2003 South Florida Business Journal Up & Comers Award
- 1996 OrNda Winners Circle Award, Director of Business Development

### MEMBER NOMINATION/DATA FORM

Complete the following information for each individual being nominated for membership. Private sector business members shall be owners of business concerns, chief executive or chief operating officers or non-governmental employers of other private sector executives who have substantial policy or management responsibility.

Name of Nominee: Donna Duplantis

Title: Director of Human Resources

Company: Eden Roc Renaissance Resort & Spa

Address: 4525 Collins Ave. Miami Beach, FL 33149

Phone: 305-674-5520 Fax: 305-674-5522 E-Mail Address: Donna.duplantis@renaissancehotels.com

If private sector business nominee, check one:

☐ Owner ☐ Chief Executive Officer ☐ Chief Operating Officer ☒ Management or Policy Responsibility

If non-private sector nominee, check one of the following:

☐ Community-Based Org. ☐ Vocational Rehabilitation ☐ Organized Labor  
☐ School District ☐ Community College ☐ Public Assistance  
☐ Employment Service ☐ Economic Development ☐ Local Elected Official  
☐ One-Stop Partner ☐ Military

**Attach a brief bio, listing the nominee's educational and professional accomplishments and affiliations.**

Nominating Organization: Eden Roc Renaissance Resort & Spa

Name and Title of Person Making Nomination: Mark Butcher

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Address/Phone Number: 305-674-5503

RETURN COMPLETED FORM TO:  
Edith Humes-Newbold, Executive Director  
South Florida Workforce  
7300 Corporate Center Drive (NW 19<sup>th</sup> Street), Suite 500  
Miami, FL 33126-1234  
TEL (305) 594-7615 ext. 369  
FAX (305) 470-5523

## **DONNA M. DUPLANTIS, S.P.H.R.**

1228 West Ave., #915  
Miami Beach, FL 33139  
(305) 674-9005

### **CAREER SUMMARY**

Human Resources and Training professional who is a catalyst and an innovative problem solver, and who promotes teamwork, internal customer satisfaction, and employee and organizational development. Expertise in the following areas:

- Team Needs Assessment
- Employment Law
- Associate Career Planning
- Training Program Development
- Strategic Business Planning
- Associate Skills/Knowledge Reinforcement

### **EMPLOYMENT HISTORY**

**Eden Roc Renaissance Resort & Spa, Miami Beach, FL**

**08/99 to present**

**Miami Renaissance Biscayne Bay, Miami, FL**

**11/01 to 05/03**

Lead Director of Human Resources

- Improved employee experience and consistency in pay structure by creating and implementing computerized performance review tracking system prior to acquisition by Marriott International
- Enhanced and reinforced company culture by leading a team that developed and implemented the hotel Vision, Mission and Standards of Excellence prior to acquisition by Marriott International
- Piloted guest service standards program, the "Savvy Basics", for Renaissance Hotels, management company for both hotels
- Responsible for overseeing the human resources function for nine hotels in the South Florida area
- Developed succession planning program for all supervisory and management positions in the hotel, based in areas of responsibility
- Responsible for implementing a career planning and tracking program for all hotel associates

**University of Phoenix, Plantation, FL**

**07/00 to present**

Part-time Faculty Instructor

Currently serving as a part-time Instructor for the University of Phoenix, for undergraduate and graduate classes in Human Resources Management and Employment Law. The home offices of this university are based in Phoenix, AZ, but I have been a faculty instructor for a satellite campus.

**Richfield Hospitality Services, Inc., Englewood, CO**

**11/97-03/99**

Corporate Director of Learning and Development

- Improved employee and company performance by developing and implementing training programs for staff members at 48 hotels in the U.S. and Canada.
- Incorporated the best training practices of six hotel franchises into training for other systems by conducting franchise-training surveys
- Identified key training needs by conducting needs analyses and developing new training curriculums based on results
- Conducted "train-the-trainer" sessions, and one-on-one mentoring, at multi-state locations, based on needs for each hotel/region

**cont'd**

- Utilized organizational development techniques to enhance the performance of the Executive Committees at several hotels
- Developed measurements of employee and client satisfaction through use of reengineering techniques
- Administered and reinforced management company vision, mission and core values for associates of all Richfield Hospitality hotels

**Potomac Partners, Inc., Alexandria, VA****01/94-11/97**Corporate Director of Human Resources

11/96-11/97

- Contributed to cost control by managing workers' compensation loss runs for eight multi-state locations
- Ensuring legal compliance by responding to, and subsequently winning, all E.E.O.C. claims submitted to the company
- Improved guest satisfaction and employee performance by designing and implementing company-wide training programs
- Ensured a competitive and experienced workforce by conducting benefits and wage surveys, and creating wage scales for all locations

Human Resources Director

01/94-11/96

Holiday Inn Hotel & Suites, Best Western Old Colony Inn

- Demonstrated the hotels' legal compliance while responding to all unemployment claims, and responding to the properties' E.E.O.C. claims
- Promoted health care plan management by assisting in choosing health care coverage to be available for hotel associates, encouraging plan participation through education and assisting associates in utilizing their coverage

**Interstate Hotel Corporation, Metairie, LA and Pittsburgh, PA****06/91-01/94**Human Resources Director of Sheraton New Orleans North Hotel**Landmark Hotel, Metairie, LA****08/87-02/89; 06/89-06/91**Human Resources Assistant**Marrero Middle School, Marrero, LA****12/88-06/89**Reading Teacher, 6<sup>th</sup> and 7<sup>th</sup> Grades**EDUCATION**

Marymount University - Master of Arts Degree in Human Resources Development; Certifications in Total Quality Management and Instructional Design & Development

University of New Orleans - Bachelor of Arts Degree in Secondary Education; Major Field - Social Sciences; Minor Field - English

**PROFESSIONAL ACTIVITIES**

Served as President of the Hotel Human Resources Directors Association of Northern Virginia

Certified Human Resources Executive by the American Hotel & Motel Association (CHRE)

Certified Senior Professional in Human Resources by the Society of Human Resources Management (SPHR)

Member of American Society for Training and Development (ASTD) and the Society for Human Resources Management (SHRM)

### MEMBER NOMINATION/DATA FORM

Complete the following information for each individual being nominated for membership. Private sector business members shall be owners of business concerns, chief executive or chief operating officers or non-governmental employers of other private sector executives who have substantial policy or management responsibility.

Name of Nominee: Frank Pintado

Title: President

Company: VIP'S Parking Systems Inc.

Address: 1674 Meridian Avenue Suite # 106

Phone: 305-534-6888 Fax: 305-534-0053 E-Mail Address: fpintado@aol.com

If private sector business nominee, check one:

☒ Owner ☐ Chief Executive Officer ☐ Chief Operating Officer ☐ Management or Policy Responsibility

If non-private sector nominee, check one of the following:

☐ Community-Based Org. ☐ Vocational Rehabilitation ☐ Organized Labor  
☐ School District ☐ Community College ☐ Public Assistance  
☐ Employment Service ☐ Economic Development ☐ Local Elected Official  
☐ One-Stop Partner ☐ Military

**Attach a brief bio, listing the nominee's educational and professional accomplishments and affiliations.**

Nominating Organization: \_\_\_\_\_

Name and Title of Person Making Nomination: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Address/Phone Number: \_\_\_\_\_

RETURN COMPLETED FORM TO: Edith Humes-Newbold, Executive Director  
South Florida Workforce  
7300 Corporate Center Drive (NW 19<sup>th</sup> Street), Suite 500  
Miami, FL 33126-1234  
TEL (305) 594-7615 ext. 369

## **RESOLUTION TO BE SUBMITTED**

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**CITY OF MIAMI BEACH  
COMMISSION ITEM SUMMARY**



**Condensed Title:**

Resolution for Issuance of RFP for Professional Services Provider to provide the City with those medical services as may be necessary and/or required by the City and local, state and federal laws.

**Issue:**

The City's current Professional Services Agreement with Sunshine Medical Center will expire on September 30, 2005. It is imperative that the City ensure the continuity of these medical services without interruption.


**Item Summary/Recommendation:**

The current Agreement with Sunshine Medical Center will expire on September 30, 2005. In order for the City to ensure the continuity of these medical services without interruption, the Administration recommends the issuance of an RFP for a provider of medical services

**Advisory Board Recommendation:**

N/A


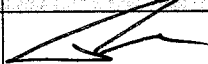
**Financial Information:**

Source of Funds:  Finance Dept.		Amount	Account	Approved
	1	166.140	540.1791.000355	
	2			
	3			
	4			
	Total			

**City Clerk's Office Legislative Tracking:**

Mayra Diaz Buttacavoli, Director of Human Resources & Risk Management

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager
		

F:\HUMA\Sai\COMM-SUMMARY\RFP for medical provider 2005 summary.doc

AGENDA ITEM

C7G

DATE

4-20-05

# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139

<http://ci.miami-beach.fl.us>



## COMMISSION MEMORANDUM

**TO:** Mayor David Dermer and  
Members of the City Commission

**DATE:** April 20, 2005

**FROM:** Jorge Gonzalez  
City Manager

**SUBJECT: A RESOLUTION TO THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AUTHORIZING THE ADMINISTRATION TO ISSUE A REQUEST FOR PROPOSAL FOR THE PURPOSE OF OBTAINING (1) PHYSICAL EXAMINATIONS ON HIRES AND ON PROMOTIONS FOR CLASSIFICATIONS WHERE PHYSICAL DUTIES VARY GREATLY; (2) DRUG TESTS ON HIRES TO MAINTAIN A DRUG-FREE WORK ENVIRONMENT; (3) RETURN TO WORK CLEARANCE EVALUATIONS; (4) REHABILITATION EVALUATIONS; (5) ADMINISTRATION OF AN EMPLOYEE ASSISTANCE PROGRAM; (6) RETENTION OF ALL MEDICAL RECORDS; (7) EVALUATION OF APPLICANTS AND EMPLOYEES, AS REQUIRED BY THE CITY; (8) ADMINISTRATION OF VACCINES FOR CITY EMPLOYEES, AS NEEDED; (9) DESIGNATION AS THE CITY PHYSICIAN; (10) CONDUCT RANDOM DRUG AND ALCOHOL TESTING BASED ON THE FLORIDA DEPARTMENT OF TRANSPORTATION STANDARDS AND UNION CONTRACTS; AND (11) OTHER MEDICAL SERVICES, AS MAY BE NECESSARY AND/OR REQUIRED BY THE CITY AND LOCAL, STATE AND FEDERAL LAWS.**

### **ADMINISTRATION RECOMMENDATION:**

Adopt the Resolution.

### **ANALYSIS:**

On May 24, 1998 RFP No. 98-99/00 was issued. Proposals were requested for a service provider to supply comprehensive medical evaluations, medical records retention, psychiatric services, an immunization program, a drug and alcohol testing program, a wellness program, and employee assistance program, for City of Miami Beach employees or employment applicants.

On Sept. 13, 2000, the Mayor and City Commission Authorized the Administration to enter into negotiations with Sunshine Medical Center. The Administration successfully negotiated a Professional Services Agreement with Sunshine Medical Center. The Agreement was effective commencing October 1, 2000 for an annual fee of \$166,140, for a one-year period, with an option for four additional one-year renewal periods. It expires on

September 30, 2005. (Resolution No. 2000-24067)

In order to get new proposals and to insure competitiveness, the City should issue a Request For Proposals (RFP). The City's RFP process will allow medical service providers to submit new recommendations to the City which will be evaluated for cost effectiveness and the ability to supply comprehensive medical services.

The current contract provides the following services:

- Comprehensive physical examinations and drug testing for pre-employment and promotions
- Medical records
- Psychiatric services
- Immunization program
- Drug and alcohol test program
- Wellness program
- Employee Assistance Program (EAP)
- Fitness for duty evaluations and return to work / rehabilitation evaluations
- Executive physical

### **CONCLUSION**

It is recommended that the Mayor and Commission authorize the Administration to proceed with the issuance of a Request for Proposals seeking a professional services agreement for medical services.

JMG:MDB:bg

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE ADMINISTRATION TO ISSUE A REQUEST FOR PROPOSALS FOR THE PURPOSE OF OBTAINING (1) PHYSICAL EXAMINATIONS ON HIRES AND ON PROMOTIONS FOR CLASSIFICATIONS WHERE PHYSICAL DUTIES VARY GREATLY; (2) DRUG TESTS ON HIRES TO MAINTAIN A DRUG-FREE WORK ENVIRONMENT; (3) RETURN TO WORK CLEARANCE EVALUATIONS; (4) REHABILITATION EVALUATIONS; (5) ADMINISTRATION OF AN EMPLOYEE ASSISTANCE PROGRAM; (6) RETENTION OF ALL MEDICAL RECORDS; (7) EVALUATION OF APPLICANTS AND EMPLOYEES, AS REQUIRED BY THE CITY; (8) ADMINISTRATION OF VACCINES FOR CITY EMPLOYEES, AS NEEDED; (9) DESIGNATION OF THE CITY PHYSICIAN; (10) CONDUCT RANDOM DRUG AND ALCOHOL TESTING BASED ON THE FLORIDA DEPARTMENT OF TRANSPORTATION STANDARDS AND UNION CONTRACTS; AND (11) OTHER MEDICAL SERVICES, AS MAY BE NECESSARY AND/OR REQUIRED BY THE CITY AND LOCAL, STATE AND FEDERAL LAWS.**

**WHEREAS**, on September 13, 2000, the Mayor and City Commission approved Resolution No. 2000-24067, authorizing a Professional Services Agreement with Sunshine Medical Center to provide the City with a professional and experienced provider to perform examinations on hires; on promotions for classifications where physical duties vary greatly; drug rehabilitation evaluations; administer an employee assistance program and other special services, as required by the City and local, State and Federal laws and regulations; maintain and retain all medical records; evaluate applicants and employees as required by the City; administer vaccines for city employees as needed; act as the designated City physician; conduct random drug and alcohol testing based on the Florida Department of Transportation standards and union contracts; and provide for other medical services as may be necessary (per Agreement); and

**WHEREAS**, the Agreement with Sunshine Medical Center commenced on October 1, 2000, for an annual fee of \$166,140, for an initial one-year term, and four additional one-year renewal options; and

**WHEREAS**, the Agreement expires on September 30, 2005.

**WHEREAS**, it is imperative that these medical services be continued, uninterrupted.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA,** that the Mayor and Commission hereby authorize the Administration to issue a Request for Proposals for the purpose of obtaining (1) physical examinations on hires and on promotions for classifications where physical duties vary greatly; (2) drug tests on hires to maintain a drug-free work environment; (3) return to work clearance evaluations; (4) rehabilitation evaluations; (5) administration of an employee assistance program; (6) retention of all medical records; (7) evaluation of applicants and employees, as required by the City; (8) administration of vaccines for City employees, as needed; (9) designation of the City physician; (10) conduct random drug and alcohol testing based on the Florida Department of Transportation standards and union contracts; and (11) other medical services, as may be necessary and/or required by the City and local, state and federal laws.

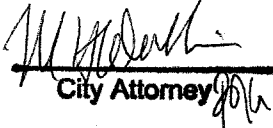
**PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2005**

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

  
\_\_\_\_\_  
City Attorney

2-17-05  
\_\_\_\_\_  
Date

## **SECTION II - SCOPE OF SERVICES**

### **A. GENERAL**

In accordance with established medical practice, the service provider, based on the physical requirements of the job description provided by the City will conduct physical examinations and drug testing as required for pre-employment on all new hires, promotional exams for classifications where physical duties greatly vary, return-to-work clearance, rehabilitation consideration, and other special services as required by the City and/or local, state and federal laws and regulations.

Conduct and review laboratory results, x-rays, and other medical reports. Evaluates reports and makes appropriate recommendations as needed. Reviews special medical problems such as return from sick leave, on-duty injuries, disability, etc. Provides reports and medical opinions when applicable. Counsels personnel and job applicants about medical conditions and findings, and refers to appropriate follow-up care, when indicated.

Provide the City with a primary contact, or Project Manager who will be assigned to address all questions and concerns of the City. This contact will be available for pre-employment issues during all business hours.

A back-up will be designated in case the Project Manager is unavailable. Back-up will be fully informed in all areas. All other staff providing services under this contract will be properly informed and trained on procedures, forms, changes, etc. under this contract. Any special instructions will be communicated to all staff.

All medical evaluations results shall be reported to the Human Resources Department within 48 hours from the time the applicant is first seen.

All services will be available a minimum of five (5) days/week during business hours. (Prefer 7 a.m. to 5 p.m.) Actual hours to be negotiated.

The City will have the ability to schedule same day or next day appointments for all services if necessary.

In special cases, and with at least 3 days advanced notice by the City, the service provider will make arrangements to provide services outside normal business hours, such as evenings and weekends.

Provide convenient parking at no cost to applicants, employees, or the City for individuals referred.

With the assistance of the City's Information Technology Department, the provider will set up and utilize an electronic mail system compatible with the City. If requested by the City, all reports and other necessary communication will be utilized through this system.

Any and all associated costs with the set up, other than the City's payroll costs for set up, will be absorbed by the Hospital.

Provider will utilize City forms for areas including, but not limited to: fitness for duty, authorization and release, etc. Provider will review all forms used with the City and permit changes as needed.

The Provider will insure that instructions, changes, and transfer of information and documents will be only with individuals designated by the Human Resources Director.

Immediate notification will be made to designated City staff of "no-shows" or any problems with the individual's cooperation or compliance.

The Provider will provide applicant deadlines for follow up as needed, as determined by City policy.

Individuals referred must not have a waiting time that exceeds 30 minutes.

Ensure confidentiality of all records, information, correspondence, etc.

Provides the City with a quarterly utilization summary report.

**B. COMPREHENSIVE PHYSICAL EXAMINATIONS AND DRUG TESTING FOR PRE-EMPLOYMENT AND PROMOTIONS**

Based on the physical requirements of the job description provided by the City will conduct physical examinations and drug testing as required for pre-employment on all new hires and exams on promotional applicants where physical duties greatly vary.

Results of the applicant's physical examination shall be reported to the Human Resources Department **within 48 hours from the time the applicant is first seen.**

Permit **at least 10 appointments per day** and provide capacity for up to 20 appointments per day with 3 days advanced notice from the City.

The City will have the ability to schedule same day or next day appointments for pre-employment examinations.

PPD tests are to be read by the service provider. Positive results will be handled by the service provider and will not be referred to the Department of Health or other facility unless agreed to in writing by the City. In any case, there will be no additional charge to the applicant for this service.

Police Officer applicants must include tests for heart disease evaluation.

Firefighter pre-employment examination must include tests for evidence of AIDS,

Hepatitis, Pulmonary Tuberculosis, or Meningococcal Meningitis.”

**C. MEDICAL RECORDS**

Maintain health files for all City employees. Establish and maintain medical records regarding injuries, accidents, etc. related to employees in accordance with all State and Federal laws, as applicable. Upon request of the Human Resources Director, or his designee, the service provider will provide medical records within 24 hours of request. Medical records may only be released to the Human Resources Director, Claims Coordinator or their designee. All requests and designee's assignments must be made and accepted in writing only. The selected provider, if different from the current provider, will obtain all records from the current provider, and will maintain such records.

If and when this contract is awarded to another service provider, all open medical and other records related to this contract will be delivered to the new provider within 30 days of the expiration of the Hospital's contract. The Hospital will provide copies of closed records within twenty-four hours of the request.

**D. PSYCHIATRIC SERVICES**

May be requested to hold an open door walk-in psychiatric clinic for all City employees one day per week and at other times if necessary.

May be requested to attend staff conferences and conduct on-site training and observation of new Police Officers and Firefighters and conduct ongoing meetings with all Police Officers, other employees referred by the City, their supervisors and top echelon officers.

May be requested to review and research psychological factors relating to personnel, especially public safety.

May be requested to conduct stress-reduction meetings with spouses of Police Officer personnel and other employees referred by the City.

May be requested to conduct psychological or psychiatric consultations with general City employees, as requested by the City, and prepare appropriate summary and recommendation reports.

**E. IMMUNIZATION PROGRAM**

Administer an intradermal test for Tuberculosis exposure on all employees as necessary and requested. A chest x-ray may be done in lieu of an intradermal test for Tuberculosis.

Administer a Tetanus Toxoid Booster Immunization for Police Officers, Firefighters, Fire



Rescue personnel, Waste Collectors and Parks personnel. May include other occupations depending on the job specification and/or individual requirements.

Administer Hepatitis B vaccine for those City employees with a potential risk exposure to infected blood or body fluids, as determined by the City.

Other vaccines that may be required are measles, mumps and rubella vaccine or any additional immunizations, tests, vaccines, etc. as required by local, state, or federal requirements or by industry recommendations or guidelines.

Administer and make available, according to current Federal guidelines anti-viral medications against the AIDS virus for emergency responders. These medications must be given within two hours of a significant exposure to the AIDS virus. Our employees must have access to the administration of anti-viral medications for the AIDS virus on a twenty-four hour basis.

Administer HIV/AIDS baseline tests to sworn Fire Department employees; and, perform other tests requested by the City to comply with future Union contracts.

**F. DRUG & ALCOHOL TEST PROGRAM**

Ability to conduct a Drug and Alcohol Test Program as required by local, state and federal law and regulations. This includes a certified Substance Abuse Professional, Breath Alcohol Technician and Medical Review Officer.

Conduct pre-employment drug testing on all applicants. Conduct promotional drug and alcohol testing to all safety sensitive applicants before they actually perform safety sensitive functions for the first time.

Conduct random Drug & Alcohol testing on Police Officer personnel. Service provider shall test yearly approximately 400 Fraternal Order of Police employees, 30 Government Association employees, 300 American Federation of State, County and Municipal Employees, and 200 International Association of Firefighter employees, and conduct other random drug and/or alcohol testing as may be specified by the City.

Conduct random, unannounced testing on safety sensitive employees who drive or maintain vehicles that require Commercial Driver Licenses to operate, in compliance with the Omnibus Transportation Act 349CFR40. Fifty percent of these employees will be tested for drug abuse and 25% for alcohol misuse. **Note**, the random rate for testing is subject to change based on the DOT standards and union contracts.

Conduct testing on employees whose performance could have contributed to an accident even if the employee was not cited for a traffic violation. (This would require access to staff available 24 hours/day and 7 days/week.)

Conduct testing on employees when the City observes behavior or appearance that is

characteristic of drug use or abuse or alcohol use or misuse.

Conduct return-to-duty and follow-up testing for employees who violate the prohibited alcohol or drug conduct standards. At least 6 unannounced tests must be conducted in the first 12 months after an employee returns to duty. Follow-up testing may be extended for up to 60 months following return-to-duty.

Provide these drug and alcohol testing services with licensed and certified personnel and laboratories as required by Local, State, and Federal Law including, but not limited to, Medical Review Officer (MRO), Breath Alcohol Technician (BAT), and Substance Abuse Professional (SAP) who is a Florida Certified Addiction Professional (CAP) and National Certified Addiction Counselor II (NCACII) as required by D.O.T.

Conduct annual training for designated City employees on the Drug Free Workplace Act.

The service provider will insure proper and documented chain of custody during and after sample collection and testing.

The service provider will provide appropriately private facilities to conduct these tests, including a locked, secured box, etc. for private articles and police weapons.

**G. WELLNESS PROGRAM**

Provide annual health screening and health education at a minimum of (2) two job site areas within the City. Topics to be mutually agreed upon by the City and medical facility.

Provides information on drug use and treatment resources to safety sensitive drivers.

**H. EMPLOYEE ASSISTANCE PROGRAM (EAP) - (THE CITY RESERVES THE RIGHT TO SEPARATE THIS SERVICE FROM THE CONTRACT).**

The service provider shall, at a minimum, provide the following services: Comprehensive professional services directed towards diagnosis and resolution of emotional or behavioral problems affecting our employees.

It is intended that the program provide up to a total of three (3) visits per employee and/or immediate family member per year before invoking insurance coverage or other appropriate resources. This may include counseling, diagnosis, referral, and/or follow-up for adolescents, family crisis counseling, counseling on issues including, but not limited to finances, illness, legal problems, marital, stress and anxiety, violence, vocational counseling, and substance abuse counseling as well as customary psychological or medical counseling.

The designated program must maintain regular office hours, Monday through Friday, and be available to respond to emergencies twenty four hours per day, seven days per week.

The personnel assigned to provide these services must be licensed in the State of Florida under Chapter 491 as a Mental Health Professional to do counseling.

To facilitate the transition and provide information to all City employees regarding EAP, the Hospital will initiate orientation meetings with managers and union representatives to familiarize them with the process. The provider will provide informational posters and flyers to all departments and brochures for all employees.

**I. FITNESS FOR DUTY EVALUATIONS/RETURN TO WORK/REHABILITATION EVALUATIONS**

Evaluate employees' ability to continue employment in their current capacity and to assess and recommend reasonable accommodation for other job opportunities for which they may be qualified. This may include a physical examination, return to work evaluation, psychological and/or psychiatric evaluation, and/or any reports to be completed as requested by the City for fitness for duty. Evaluations are to be completed within two working days of the request, and on the same day in case of an emergency. Summary City forms and recommendations will be forwarded to the City within 24 hours of the appointment.

Assist the City in the evaluation and verification of questionable family leave requests.

**J. EXECUTIVE PHYSICAL**

Proposer will recommend an annual medical physical evaluation and wellness program for executive staff.

**K. PERFORMANCE CRITERIA AND EVALUATION**

Each month the City will evaluate the Hospital's performance based on the scope of services, and employees, applicants, Human Resources and Risk Management Departments' feedback. The criteria to be rated will include, but is not limited to pre-employment, EAP, drug and alcohol screening, fitness for duty determinations, communication on all requested results, and designated contact availability. The criteria to be rated will change based upon the needs of the City.

If the City finds the Hospital to have less than an 80% compliance in any of the Scope of Services over a 30 day period, the City, may utilize a 15 day notice to correct such default.

**L. COMMUNICATION**

With the assistance of the City's Information Technology Department, the provider will set up and utilize an electronic mail system compatible with the City, all reports and other necessary communication will be utilized through this system. Any and all associated costs with the set up, other than the City's set up, will be absorbed by the Hospital.

The provider will have qualified personnel available during all business hours to provide all services, including final physician sign off, for pre-employment examinations.

All test results under Scope of Services will be communicated only to the Human Resources Director, or his designees.

**M. STAFFING**

The provider will staff sufficiently to supply all services stated in this agreement. The provider will increase staffing if they are unable to fully comply with what has been stated in the Scope of Services.

## **SECTION IV - EVALUATION/SELECTION PROCESS; CRITERIA FOR EVALUATION**

The procedure for proposal evaluation and selection is as follows:

1. Request for Proposals issued.
2. Receipt of proposals.
3. Opening and listing of all proposals received.
4. An Evaluation Committee, appointed by the City Manager, shall meet to evaluate each proposal in accordance with the requirements of this RFP. If further information is desired, proposers may be requested to make additional written submissions or oral presentations to the Evaluation Committee.
5. The Evaluation Committee shall recommend to the City Manager the proposal or proposals acceptance of which the Evaluation Committee deems to be in the best interest of the City.  
**The Evaluation Committee shall base its recommendations on the entire Request for Proposals, specifically reviewing the following factors:**
  - \* Ability to provide all requested services within designated time frames.
  - \* Cost of services provided.
  - \* Convenience of obtaining service and proximity to Miami Beach.
  - \* Overall reputation within the community.
  - \* Experience level, credentials of assigned staff.
  - \* Designated contact availability.
  - \* Appointment/next day scheduling.
  - \* Number of appointments that can be scheduled daily.
6. After considering the recommendation(s) of the Evaluation Committee, the City Manager shall recommend to the City Commission the proposal or proposals acceptance of which the City Manager deems to be in the best interest of the City.
7. The City Commission shall consider the City Manager's recommendation(s) in light of the recommendation(s) and evaluation of the Evaluation Committee and, if appropriate, approve the City Manager's recommendation(s). The City Commission may reject City Manager's recommendation(s) and select another proposal or proposals. In any case, City Commission shall select the proposal or proposals acceptance of which the City Commission deems to be in the best interest of the City. The City Commission may also reject all proposals.

8. Negotiations between the selected proposer and the City Manager take place to arrive at a contract. If the City Commission has so directed, the City Manager may proceed to negotiate a contract with a proposer other than the top-ranked proposer if the negotiations with the top-ranked proposer fail to produce a mutually acceptable contract within a reasonable period of time.
9. A proposed contract or contracts are presented to the City Commission for approval, modification and approval, or rejection.
10. If and when a contract or contracts acceptable to the respective parties is approved by the City Commission, the Mayor and City Clerk sign the contract(s) after the selected proposer(s) has (or have) done so.

**Important Note:**

**By submitting a proposal, all proposers shall be deemed to understand and agree that no property interest or legal right of any kind shall be created at any point during the aforesaid evaluation/selection process until and unless a contract has been agreed to and signed by both parties.**

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CITY OF MIAMI BEACH  
COMMISSION ITEM SUMMARY



**Condensed Title:**

A resolution establishing April 2005 as "Fair Housing Month" in the City of Miami Beach.

**Issue:**

Shall the City adopt a resolution establishing April 2005 as Fair Housing Month in the City of Miami Beach.

**Item Summary/Recommendation:**

The administration recommends that the Mayor and the City Commission adopt a resolution establishing April, 2005 as "Fair Housing Month" in the City of Miami Beach.

**Advisory Board Recommendation:**

N/A

**Financial Information:**

Source of Funds:	Amount		Account		Approved
	1		N/A		
	2				
	3				
	4				
	Total				

Finance Dept.

**City Clerk's Office Legislative Tracking:**

Vivian P. Guzman

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager

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AGENDA ITEM

C7H

DATE

4-20-05



# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
www.miamibeachfl.gov



## COMMISSION MEMORANDUM

**To:** Mayor David Dermer and  
Members of the City Commission

**Date:** April 20, 2005

**From:** Jorge M. Gonzalez  
City Manager

**Subject:** **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ESTABLISHING APRIL 2005 AS "FAIR HOUSING MONTH" IN THE CITY OF MIAMI BEACH.**

### ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

### ANALYSIS

In April of each year, the U.S. Department of Housing and Urban Development (HUD) commemorates the signing of the Federal Fair Housing Law on April 11, 1968, with special "Fair Housing Month" celebration activities.

As a recipient of HUD Community Planning and Development Program funds (CDBG, HOME, and ESG), the City of Miami Beach is responsible for supporting and encouraging the effort and commitment within the community to provide fair housing opportunities for all.

As required by U.S. HUD, in July of 1995, the City certified that it would affirmatively further Fair Housing efforts. Toward this end, the City sponsored HOPE, Inc. in the preparation of an Analysis of the Impediments to Fair Housing Choice, in association with Miami-Dade County and the Cities of Miami and Hialeah. U.S. HUD has presented the City with a Certificate of Appreciation in recognition of its efforts to promote Fair Housing for all residents and for incorporating the Analysis of Impediments into its Fair Housing Planning Strategy. During the past year, a series of Fair Housing Seminars were held to familiarize both landlords and tenants with the City's fair housing policy, including the City's Human Rights Ordinance, and state and federal Civil Rights legislation.

The City annually celebrates "Fair Housing Month" by adopting a Resolution and by placing advertisements in local newspapers describing the housing rights of residents and providing a telephone number for aggrieved persons to file complaints. These advertisements have assisted citizens in understanding their rights regarding fair housing issues.

The Administration recommends that the Mayor and City Commission adopt the attached Resolution establishing April 2005 as "Fair Housing Month" in the City of Miami Beach.

JMG/RSM/VP/PG/TU

T:\AGENDA\2005\Apr2005\Consent\FairHousing-MTH-2005-Memo.doc

**RESOLUTION NO.**

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF  
THE CITY OF MIAMI BEACH, FLORIDA, ESTABLISHING APRIL  
2005 AS "FAIR HOUSING MONTH" IN THE CITY OF MIAMI  
BEACH.**

**WHEREAS**, the strength of our nation, and all its states and cities, flows from the promise of individual equality and freedom of choice; and

**WHEREAS**, the anniversary of the National Fair Housing Law, Title VIII of the Civil Rights Act of 1968, during the month of April, is an occasion for all Americans, individually and collectively, to rededicate themselves to the principle of freedom of choice and to participate in efforts to eliminate vestiges of housing discrimination wherever they exist, as this law guarantees for each citizen that critical, personal element of freedom of choice in the selection of their home; and

**WHEREAS**, fair housing is the policy of the City of Miami Beach, and the implementation of that policy requires the positive commitment, involvement and support of each one of our citizens; and

**WHEREAS**, the departments and agencies of the City of Miami Beach are to provide leadership in the effort to make fair housing not just an idea, but an ideal for all our citizens; and

**WHEREAS**, barriers that diminish the rights and limit the options of any citizen will ultimately diminish the rights and limit the options of all.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that April 2005 is hereby established as "Fair Housing Month," and the Mayor and City Commission ask that the people of this City join in reaffirming the obligation and commitment to fair housing opportunities for all.


**APPROVED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2005.**

\_\_\_\_\_  
**MAYOR**

**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**

**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

 3-15-05  
City Attorney Date

**CITY OF MIAMI BEACH  
COMMISSION ITEM SUMMARY**



**Condensed Title:**

A resolution authorizing the City to enter into a HOME Investment Partnerships Agreement with the Miami Beach Community Development Corporation (MBCDC) to provide \$298,218 HOME Program funds from FY 03/04 toward the cost of rehabilitation of the Westchester Apartments, located at 516 15<sup>th</sup> Street to provide 24 rental units for income-eligible participants in accordance with the HOME Program requirements.

**Issue:**

Shall the City enter into a HOME Program Agreement which provides \$298,218 HOME Program funds from FY 03/04 toward the cost of acquisition and rehabilitation of the Westchester Apartments, located at 516 15<sup>th</sup> Street to provide 24 rental units for income-eligible participants in accordance with the HOME Program requirements?

**Item Summary/Recommendation:**

On May 20, 2004, MBCDC responded to a NOFA by submitting a request to the City for \$298,218 of HOME Program funds from FY 03/04 toward the cost of rehabilitation of the Westchester Apartments, located at 516 15<sup>th</sup> Street to provide 24 rental units for income-eligible participants in accordance with the HOME Program requirements.

**Advisory Board Recommendation:**

On October 22, 2004, the Loan Review Committee (LRC) reviewed and recommended approval by the City Commission for MBCDC to be awarded \$298,218 of HOME Program funds from FY 03/04 toward the cost of rehabilitation of the Westchester Apartments, located at 516 15<sup>th</sup> Street to provide 24 rental units for income-eligible participants in accordance with the HOME Program requirements.

**Financial Information:**

Source of Funds:		Amount	Account	Approved
	1	\$298, 218	151.5232	
	2			
	3			
	4			
	<b>Total</b>	<b>\$298,218</b>		

HOME Program  
Finance Dept.

**City Clerk's Office Legislative Tracking:**

Vivian P. Guzmán

**Sign-Offs:**

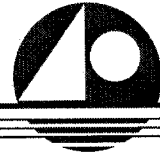
Department Director	Assistant City Manager	City Manager

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AGENDA ITEM C7I  
DATE 4-20-05

# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
www.miamibeachfl.gov



## COMMISSION MEMORANDUM

**To:** Mayor David Dermer and  
Members of the City Commission

**Date:** April 20, 2005

**From:** Jorge M. Gonzalez  
City Manager

**Subject:** **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE ATTACHED HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAM AGREEMENT WITH THE MIAMI BEACH COMMUNITY DEVELOPMENT CORPORATION (MBCDC) PROVIDING \$298,218 OF HOME PROGRAM FUNDS FROM FISCAL YEAR 2003/04 FOR THE REHABILITATION OF THE WESTCHESTER APARTMENTS, LOCATED AT 516 15<sup>TH</sup> STREET, MIAMI BEACH, TO PROVIDE 24 RENTAL UNITS FOR INCOME-ELIGIBLE PARTICIPANTS IN ACCORDANCE WITH THE HOME PROGRAM REQUIREMENTS; FURTHER, APPROVING A ONE-TIME ONLY ASSIGNMENT OF THIS AGREEMENT TO MBCDC: WESTCHESTER APARTMENTS, LLC, A NOT-FOR-PROFIT ENTITY CREATED BY MBCDC AS A SUCCESSOR IN INTEREST IN TITLE TO THE PROPERTY LOCATED AT 516 15<sup>TH</sup> STREET, AND UNDER THIS AGREEMENT.**

### ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

### ANALYSIS

On August 4, 2003, MBCDC purchased the Westchester Apartments located at 516 15<sup>th</sup> Street, Miami Beach utilizing \$1,007,473 HOME Program previously allocated to MBCDC to acquire and rehabilitate the Westchester Apartments (\$207,473 from FY 01/02 and the \$800,000 from FY 02/03).

On May 20, 2004, the City of Miami Beach issued a HOME Program NOFA in the amount of the \$298,218, for the acquisition and/or rehabilitation of multifamily building(s) for the purpose of providing affordable housing. MBCDC was the sole respondent to the NOFA and submitted a request to the City for the entire NOFA amount.

In addition, MBCDC is receiving from Miami-Dade County funding in the amount of \$800,000 and City of Miami Housing Opportunities for People With AIDS (HOPWA) Program funds in the amount of \$296,491. MBCDC has applied for \$175,000 in funding from the State of Florida Historical Preservation. Private financing is also being sought to facilitate this project. The total cost of project is estimated at \$2,798,189.

The property contains a three-story Mediterranean revival structure built in 1926 consisting of approximately 10,420 square feet. The building currently is configured into 30 apartments of which six are one-bedroom units and 24 are efficiency units. The project architect, Arthur J. Marcus, proposes to reconfigure the existing 24 efficiency units to comply with the City's average square foot planning and zoning requirement for residential units. Therefore, the resulting reconfiguration will be approximately 12 one-bedroom apartment units and 12 efficiency units. The units will be rented to income-eligible participants qualifying under the HOME Program requirements.

The proposed scope of work, based on a preliminary evaluation, included the following: reconstruction of the front porch with side wing walls and historic façade renovation, repairs of spalled concrete, roof repairs and reconstruction of fire damaged roof area, new windows and doors, exterior paint, repair and replace deteriorated wood structural members, new non-load bearing construction with new mechanical, electrical, plumbing and fire sprinkler systems. The building is vacant and no tenants will be relocated.

On October 22, 2004, the Loan Review Committee reviewed and recommended approval by the City Commission for MBCDC to award \$298,218 HOME Program funds from FY 03/04.

The administration recommends that the Mayor and City Commission authorize the Mayor and City Clerk to execute the attached HOME Investment Partnerships (HOME) Program Agreement with the Miami Beach Community Development Corporation (MBCDC) providing \$298,218 of HOME Program funds from fiscal year 2003/04 for the rehabilitation of the Westchester Apartments, located at 516 15<sup>th</sup> Street, Miami Beach, to provide 24 rental units for income-eligible participants in accordance with the HOME Program requirements; further, approving a one-time only assignment of this agreement to MBCDC: Westchester Apartments, LLC, a not-for-profit entity created by MBCDC as a successor in interest in title to the property located at 516 15<sup>th</sup> Street, and under this Agreement.

#### Attachments

JMG/VPG/TU/EJB

F:\NEIGHSG-CD\HOME\Westchester Apts\Commission\298 NOFA Westchester Apartments\_Commission Memo.doc

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE ATTACHED HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAM AGREEMENT WITH THE MIAMI BEACH COMMUNITY DEVELOPMENT CORPORATION (MBCDC) PROVIDING \$298,218 OF HOME PROGRAM FUNDS FROM FISCAL YEAR 2003/04 FOR THE REHABILITATION OF THE WESTCHESTER APARTMENTS, LOCATED AT 516 15<sup>TH</sup> STREET, MIAMI BEACH, TO PROVIDE 24 RENTAL UNITS FOR INCOME-ELIGIBLE PARTICIPANTS IN ACCORDANCE WITH THE HOME PROGRAM REQUIREMENTS; FURTHER, APPROVING A ONE-TIME ONLY ASSIGNMENT OF THIS AGREEMENT FROM MBCDC TO MBCDC: WESTCHESTER APARTMENTS, LLC, A NOT-FOR-PROFIT ENTITY CREATED BY MBCDC AS A SUCCESSOR IN INTEREST IN TITLE TO THE WESTCHESTER APARTMENTS PROPERTY, LOCATED AT 516 15<sup>TH</sup> STREET, AND UNDER THIS AGREEMENT.**

**WHEREAS**, on February 18, 1992, the City was designated by the U.S. Department of Housing and Urban Development (HUD) as a Participating Jurisdiction to receive funds through the HOME Investment Partnerships (HOME) Program under 24 CFR 92; and

**WHEREAS**, the City has established a HOME Investment Partnerships Program (HOME Program) under the rules of the U.S. Department of Housing and Urban Development (U.S. HUD), which provides financial assistance for the purpose of providing affordable housing within the City; and

**WHEREAS**, on April 8, 1993, the Mayor and City Commission, approved Resolution No. 93-20756, designating Miami Beach Community Development Corporation (MBCDC) as a qualified Community Housing Development Organization (CHDO) under the HOME Program; and

**WHEREAS**, in accordance with the HOME Program regulations, the City must reserve a minimum of fifteen (15) percent of each fiscal year's HOME allocation for a CHDO set-aside for investment in housing to be developed, sponsored or owned by a designated CHDO; and

**WHEREAS**, on July 18, 2001, the City Commission approved Resolution No. 2001-24517, which adopted the City of Miami Beach One-Year Action Plan for Federal Funds Fiscal Year 2001/2002 allocating \$800,000 HOME Investment Partnerships (HOME) Program funds to Miami Beach Community Development Corporation (MBCDC), of which \$207,473 remains available for MBCDC to commit to a project; and

**WHEREAS**, on July 31, 2002, the City Commission approved Resolution No. 2002-24948, which adopted the City of Miami Beach One-Year Action Plan for Federal Funds Fiscal Year 2002/2003, which allocated \$800,000 HOME Program funds to MBCDC; and

**WHEREAS**, on July 2, 2003, the City Commission approved Resolution No. 2003-25259, which approved MBCDC's request to utilize \$1,007,473 of the previously allocated Fiscal Year 2001/2002 and Fiscal Year 2002/2003 CHDO funds for a CHDO project to acquire and rehabilitate the apartment building, known as the Westchester Apartments, located at 516 15<sup>th</sup> Street, Miami Beach; and

**WHEREAS**, on October 22, 2004, the Loan Review Committee reviewed and recommended approval by the City Commission to award MBCDC \$298,218 HOME Program funds to rehabilitate the Westchester Apartments from FY 03/04; and

**WHEREAS**, MBCDC has created a not-for-profit entity which has assumed all interest and title to the Westchester Apartments property a successor in interest to MBCDC; and

**WHEREAS**, accordingly, the Administration would recommend that the Mayor and City Commission hereby approve the attached HOME Program Agreement with MBCDC, in the amount of \$298,218, for the rehabilitation of the Westchester Apartments property; and

**WHEREAS**, the Administration would further recommend that the City Commission hereby consent to a one time only assignment of the Agreement from MBCDC to MBCDC: Westchester Apartments, LLC,

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Clerk are hereby authorized to execute the attached HOME Investment Partnerships (HOME) Program Agreement with the Miami Beach Community Development Corporation (MBCDC), providing \$298,218 of HOME Program funds from Fiscal Year 2003/04 for the rehabilitation of the Westchester Apartments, located at 516 15<sup>th</sup> Street, Miami Beach, to provide 24 rental units for income-eligible participants in accordance with the HOME Program requirements; further, approving a one-time only assignment of the Agreement from MBCDC to MBCDC: Westchester Apartments, LLC, a not-for-profit entity created by MBCDC as a successor in interest in title to the Westchester Apartments property, located at 516 15<sup>th</sup> Street.

**PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2005**


**ATTEST:**

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

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**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

 **4-13-05**  
\_\_\_\_\_  
City Attorney      Date

## **PROPOSED HOME PROJECT DESCRIPTION**

This building is located one block south of Lincoln Road, consisting of 30 units which will be reconfigured into 24 units creating larger units than the existing ones. These units will be rented to low to moderate income persons, targeting those who work in the Lincoln Road area , in addition 6 units will be set a side for persons living with AIDS. The building is a three story structure consisting of 10,420 square feet which was damaged by fire and was closed by the City. MBCDC acquired this building on August 4, 2002 and has completed architectural drawings, applied for and awaiting the building permit. It is anticipated that construction will begin in July 2005 and be completed by May 2006. MBCDC has completed the bidding process to select a contractor, in addition, MBCDC has on staff a Project Manager who is a graduate of Florida International University with a B.A. in architecture who will oversee the entire project. The project will contain 24 units configured into 12 one bedrooms and 12 studios. Each unit has a kitchen and one bathroom. The unit size averages 520 sq. ft. The proposed rehabilitation will include central air and internal repairs, such as cabinets, and appliances. **Miami Dade County has contributed to this project \$500,000 from their FY2003 Surtax Funds and \$300,000 from their FY2004 Surtax Funds making a total of \$800,000.** All units will be HOME assisted. MBCDC has trained staff who will accept and certify applicants to meet the required income guidelines. MBCDC has formed a Property Management entity which currently manages all our units, and this entity will manage this project.



## **Work Write-up**

The Westchester Plaza Apartments (formerly Roxy Apartments), a contributing structure in the National Register Miami Beach Architectural District, was built in 1926 as a three-story, 30-unit, Mediterranean Revival apartment building. The building was purchased by Miami Beach Community Development Corporation in 2003 after the roof and third-story were damaged in a fire that rendered the building uninhabitable. MBCDC rehabilitation of the Westchester will include the exterior rehabilitation of the original historic elements, such as the façade, the complete ground level terrace with ornaments, the third-floor balconette with railing, the re-construction of arches on either side of the building, two new 5'0 finials to replicate the historic design of the roof and new exterior windows and doors.

A significant aspect of the renovation includes the reduction from 30 to 24 units to meet current City of Miami Beach building codes. The complete interior rehabilitation includes new H/VAC systems, electrical and plumbing systems. Complete structural rehabilitation will also be part of the scope of work for this project.

Project activities to date: acquisition is complete, primary financing allocation is in place, construction documents have been completed by architect Arthur Marcus and permitting is at its last stage only DERM sign off is missing, and the building is vacant. Construction is scheduled to start in July 2005. Contractors selection process has already started.

These units will provide affordable housing to low-income residents of Miami Beach, six units are set aside for disabled persons living with AIDS.

## **SIZE OF UNITS**

**The building is currently configured with 30 units of 6 one bedrooms and 24 studios. MBCDC will be reducing the number of units to 24, consisting of 12 one bedrooms and 12 studios. The average unit size will be 528 sq ft.**

# THE WESTCHESTER APARTMENTS

516 15TH STREET

**MIAMI BEACH, FL 33159**

143

9.

## DEVELOPMENT BUDGET

	Amount	Form (Loan, Grant, Equity)	Commitment
<b>A. SOURCES OF FUNDING</b> (Specify source) See Note.			
City of Miami Beach	1,007,473	Grant	Commitment
City of miami HOPWA	296,491	Grant	Commitment
Miami Dade county 500 + 300	800,000	Loan 0%	Commitment
Bank Financing	221,007	Loan	Commitment
State of Florida Historical	175,000	Grant	Applied
City of Miami Beach NOFA	298,218	Grant	Applied
<b>A1. Total Funds Available</b>	<b>2,798,189</b>		
<b>USES:</b>	<b>Amount of HOME Funds</b>	<b>Amount of Other Funds</b>	<b>Source of Other Funds</b>
<b>B. ACQUISITION COST</b>			
Existing Buildings	1,007,473	192,527	Bank
Land			
Other (explain in item 10.Detail)			
<b>B1. Total Acquisition Costs</b>	<b>1,007,473</b>	<b>192,527</b>	
<b>C. RELOCATION COST</b>			
Replacement Housing Assistance	-0-		
Moving and Related Expenses	-0-		
<b>C1. Total Relocation Costs</b>	<b>-0-</b>		
<b>D. CONSTRUCTION/REHAB COST</b>			
Off-Site (explain in item 10 Detail)			
Rehabilitation of Existing Building(s) (list in item 10 Detail)	298,218	743,782	
Recreational Amenities (list in Detail)			
Rehabilitation of Existing Common Areas			
General Requirements (on-site)		5,480	
Utilities during construction			
Building Contractor's Profit			
Building Contractor's Overhead			
Other (explain in Detail)			
Contingency (explain. in Detail)		100,000	
<b>D1. Total Construction Cost</b>	<b>298,218</b>	<b>849,262</b>	

<b>DEVELOPMENT BUDGET PAGE 2</b>	<b>Amount of HOME Funds</b>	<b>Amount of Other Funds</b>	<b>Source of Other Funds</b>
<b>E. GENERAL DEVELOPMENT COST</b>			
Appraisal		4,000	
Architect's Fee Design			
Architect's Fee-Supervision		50,000	
Consultant Fees		-0-	
Builder's Risk Insurance		20,000	
Building Permit		8,000	
Closing Costs - Construction		15,000	
Closing Costs - Permanent		15,000	
Engineering Fees		10,000	
Environmental		5,000	
Impact Fees (list in Detail)		12,000	
Inspection Fees		6,000	
Insurance		20,000	
Exterminating		3,020	
Legal Fees		10,000	
Marketing and Advertising		3,000	
Property Taxes		20,689	
Title Insurance		10,000	
Utility Connection Fee		2,000	
Other (explain in Detail)		2,000	
Contingency (explain in Detail)		18,000	
<b>E1. Total General Development Cost</b>		<b>233,709</b>	
<b>F. Financial Cost</b>			
Construction Loan Interest		42,000	
Construction Loan Orig. Fee			
Perm. Loan Origination Fee			
Other (explain in Detail)			
<b>F1. Total Financial Cost</b>		<b>42,000</b>	
<b>G. Project Cost (B1 + C1 + D1 + E1 + F1)</b>	<b>1,305,691</b>	<b>1,317,498</b>	
<b>DEVELOPMENT BUDGET PAGE 3</b>	<b>Amount of HOME Funds</b>	<b>Amount of Other Funds</b>	<b>Source of Other Funds</b>

<b>H. Other Development Costs</b>			
Developers' Fees		<b>175,000</b>	
Other (explain in Detail)			
<b>H1. Total Other Development Costs</b>			
<b>I. Total Project Cost (G + H1)</b>	<b>1,305,691</b>	<b>1,492,498</b>	State, County, HOPWA, Bank

**J. TOTAL PROJECT COSTS - ALL FUNDS**  
**(ROW I. Column 1 + Column 2)**

**\$2,798,189**

**Note:** Specify in item 10, on the following page, the source of all funding anticipated to be used in the activity proposed. Indicate whether these funds are already committed, the source of the funds and the actual or anticipated terms (whether a loan or grant, if a loan the repayment terms). Add additional pages as necessary.

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**CITY OF MIAMI BEACH  
COMMISSION ITEM SUMMARY**



**Condensed Title:**

A Resolution of the Mayor and City Commission of the City of Miami Beach, Florida, setting a Preliminary Public Hearing for May 2005, in order to consider the merits of the proposed Gilbert M. Fein Neighborhood Conservation District.

**Issue:**

Shall the Mayor and City Commission approve the resolution setting the Preliminary Public Hearing?

**Item Summary/Recommendation:**


Pursuant to Section 118-705(b)(1) regarding the procedures for adopting specific NCD overlay districts, the Planning Department shall schedule a request before the City Commission to set a preliminary public hearing in order to evaluate the merits of the proposed district and determine whether to continue the NCD designation process.

The Administration recommends approving the resolution to set a preliminary review public hearing.

**Advisory Board Recommendation:**

The Historic Preservation Board formally initiated the NCD adoption process regarding the proposed district at a Community Workshop held December 6, 2004.

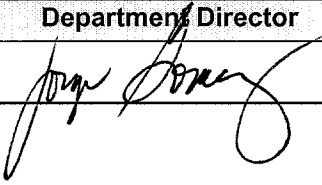
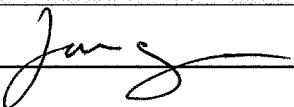
**Financial Information:**

Source of Funds:   Finance Dept.		Amount	Account	Approved
	1			
	2			
	3			
	4			
	Total			

**City Clerk's Office Legislative Tracking:**

Jorge G. Gomez, Planning Director/ Reuben N. Caldwell, Senior Planner

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager
		

AGENDA ITEM

C75

DATE

4-20-05



# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
www.miamibeachfl.gov



## COMMISSION MEMORANDUM

**To:** Mayor David Dermer and  
Members of the City Commission

**Date:** April 20, 2005

**From:** Jorge M. Gonzalez  
City Manager

**Subject:** **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SETTING A PRELIMINARY PUBLIC HEARING FOR MAY 2005, PURSUANT TO CODE SECTION 118-705(b)(1), "PROCEDURES FOR THE ADOPTION OF SPECIFIC NCD OVERLAY DISTRICTS", IN ORDER TO CONSIDER THE MERITS OF THE PROPOSED GILBERT M. FEIN NEIGHBORHOOD CONSERVATION DISTRICT.**

### **ADMINISTRATION RECOMMENDATION**

The Administration requests that the City Commission set a Preliminary Public Hearing for May 2005, in order to evaluate the merits of the proposed Gilbert M. Fein Neighborhood Conservation District (NCD-1).

### **BACKGROUND**

The proposed district, as previously discussed by the City Commission and Historic Preservation Board, is generally bounded by the center line of Bay Road to the east, the bulkhead line of Biscayne Bay to the west, the northern lot lines of the northern properties fronting Lincoln Terrace to the north, and the southern lot lines of the southern properties fronting 16<sup>th</sup> Street to the south.

Referring to the attached flow chart delineating the procedures for the adoption of a Neighborhood Conservation District (NCD), the preliminary review (step "2" of the "5" step adoption process) requires that staff request a preliminary public hearing before the City Commission. The preparation for this public hearing generally involves the review of only the conceptual merits of the designation. However, because the process which has transpired relative to this subject district has been an unfolding one, resulting in the formalization of a new overlay district technique for the City, the Administration is pleased to attach, as thorough clarification of the background and proposed content of the district plan, a draft of the proposed Gilbert M. Fein Neighborhood Conservation District Designation Report and Ordinance. As described in the Executive Summary of the report, this particular NCD has been developed through numerous community meetings and public hearings and this most recent draft was presented to the Historic Preservation Board on February 8, 2005, with a memorandum summary and findings from their Community Workshop held on December 6, 2004, which has also been included herein.

## **CONCLUSION**

In accordance with Section 118-705(b)(1) of the Neighborhood Conservation District enabling ordinance relative to the adoption of a specific NCD, the Planning Department shall schedule a referral request before the City Commission and The City Commission shall hold a preliminary public hearing to consider the merits of the proposed NCD.

Notification of the preliminary public hearing shall be advertised in accordance with Section 118-164(2)(b) regardless of acreage and, in addition, all property owners within the proposed district as well as within a 375 ft. radius of the proposed district shall be notified by individual mail notice with a description prepared in plain English, and postmarked not less than (15) days in advance of the hearing.

(All attachments referenced above are available at the City Clerk's Office.)

JMG/TH/JGG/WHC/RNC

T:\AGENDA\2005\Apr2005\Consent\GMF NCD 04.20.05 Prelim Request Memo.doc

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SETTING A PRELIMINARY PUBLIC HEARING FOR MAY 2005, PURSUANT TO CODE SECTION 118-705(b)(1), "PROCEDURES FOR THE ADOPTION OF SPECIFIC NCD OVERLAY DISTRICTS", IN ORDER TO CONSIDER THE MERITS OF THE PROPOSED GILBERT M. FEIN NEIGHBORHOOD CONSERVATION DISTRICT.**

**WHEREAS**, the City Commission, Historic Preservation Board and Planning Department in discussions with the Community relative to the proposed district, adopted a Neighborhood Conservation District (NCD) enabling ordinance toward addressing the unique planning issues impacting this and other potential NCD overlay districts citywide; and

**WHEREAS**, in accordance with Miami Beach City Code section 118-705(a)(1) of the enabling ordinance, the Historic Preservation Board at a publicly noticed Community Workshop held December 6, 2004, initiated the process toward adopting the proposed Gilbert M. Fein Neighborhood Conservation District (NCD-1) by a vote of (4-0) in favor; and

**WHEREAS**, in accordance with Miami Beach City Code section 118-705(b)(1) of the enabling ordinance, the Planning Department shall schedule a request before the City Commission to set a preliminary public hearing.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that a preliminary public hearing shall be held on May 2005, and the Clerk is hereby directed to publicly notice such hearing in accordance with Miami Beach City Code section 118-705(b)(2).

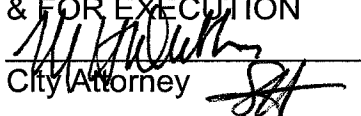
**PASSED and ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2005.

ATTEST:

\_\_\_\_\_  
Mayor David Dermer

\_\_\_\_\_  
City Clerk

FORM & LANGUAGE  
& FOR EXECUTION

  
City Attorney

4-5-05  
Date

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**CITY OF MIAMI BEACH  
COMMISSION ITEM SUMMARY**



**Condensed Title:**

A Resolution of the Mayor and City Commission of the City of Miami Beach, Florida, Approving the Issuance of Purchase Order to DGG Taser, Inc., the Sole Source Distributor of the X26 and M26 Tasers, for the Purchase of X-26 Tasers, Air Cartridges, and Holsters for Use by the Police Department in the Estimated Amount of \$55,000.

**Issue:**

Shall the Commission Adopt the Resolution?

**Item Summary/Recommendation:**

The City of Miami Beach has made purchases of equipment from DGG Taser, Inc. for the Police Department over the past two years, including Tasers and related accessories totaling \$123,574. There is a need for an additional 55 X-26 Tasers, holsters and corresponding air cartridges. Taser International, Inc. is the sole source manufacturer of the less than lethal Tasers that the City's Police Department has been trained to use and has utilized over the last two years. The sole source distributor in Florida and Georgia for the required Taser products is DGG Taser, Inc.

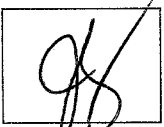
In light of recent events regarding the Taser's deployment by the Miami-Dade Police Department and subsequent concerns raised by community leaders, the MBPD's policy has been closely reviewed. Representatives of the MBPD have also attended community forums with other local police agencies, the Miami-Dade State Attorney's and Medical Offices and members of the Community Relations Board. The Police Department will continue to do everything possible to ensure the X-26 Taser is used only in strict adherence to the Taser deployment policy.

**ADOPT THE RESOLUTION.**

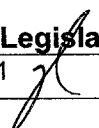
**Advisory Board Recommendation:**

N/A

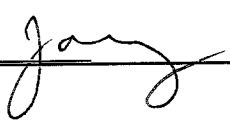
**Financial Information:**

Source of Funds:	Amount	Account	Approved
 Finance Dept.	1	\$55,000.00	Federal Confiscation Account
	2		603-4750-000674
	3		
	4		
	<b>Total</b>	\$55,000.00	

**City Clerk's Office Legislative Tracking:**

Gus Lopez, ext. 6641 

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager
PS _____	DD _____	JMG 

T:\AGENDA\2005\Apr2005\consent\DGGSummary.doc

AGENDA ITEM C7K  
DATE 4-20-05



**COMMISSION MEMORANDUM**

**To:** Mayor David Dermer and  
Members of the City Commission

**Date:** April 20, 2005

**From:** Jorge M. Gonzalez  
City Manager

**Subject:** **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE ISSUANCE OF A PURCHASE ORDER TO DGG TASER INC., THE SOLE SOURCE DISTRIBUTOR OF THE X-26 AND M-26 TASERS, FOR THE PURCHASE OF X-26 TASERS, AIR CARTRIDGES AND HOLSTERS FOR USE BY THE POLICE DEPARTMENT IN THE ESTIMATED AMOUNT OF \$55,000.**

**ADMINISTRATION RECOMMENDATION**

Adopt the Resolution.

**FUNDING**

\$55,000 Funding is available from the Police Department Federal Confiscation Account Number 603-4750-000674.

**ANALYSIS**

The City of Miami Beach ("City") has made purchases of equipment from DGG Taser, Inc. for the Police Department over the past two years, including the purchase of Tasers and related accessories totaling \$123,574. There is a need for an additional 55 X-26 Tasers, holsters, and corresponding air cartridges, at an estimated total cost of \$55,000. These approved restraint devices constitute a non-deadly use of force for sworn police officers and detention officers.

TASER International, Inc. is the sole source manufacturer of the less than lethal Tasers that the City's Police Department has been trained to use and has utilized over the last two years. The sole source distributor in Florida and Georgia for the required Taser products is DGG Taser, Inc., per the attached letter.

Miami-Dade County (the "County") has Contract No. BW1673-3/08 with an expiration date of June 30, 2005, and three (3) one-year options to renew, for the purchase of the same Tasers and equipment. In order to utilize the aforementioned County contract, we must agree to register and participate in the County's joint purchase and revenue sharing program, referred to as the User Access Program (UAP). This program requires a surcharge of 2% to the City and a significant administrative burden.

The Administration has successfully negotiated directly with DGG Taser, Inc. and received price quotes that are not only lower than those on the County contract, but also alleviates the need to administer and monitor the UAP for this project.

By purchasing directly from DGG Taser, Inc. the City realizes a savings of \$1850, compared to the County contract. Also, by expediting the payment process, the City will realize an additional savings of \$750.

### **TASER DEPLOYMENT POLICY**

The X-26 Taser uses an electrical signal to temporarily override the central nervous system and directly control skeletal muscles. The City's Taser policy prohibits deployment on juveniles under the age of 13, pregnant women, and elderly persons unless the use of deadly force is justified. The policy is in compliance with the manufacturer's guidelines and public safety standards. The policy also contains stringent supervisory oversight each time the Taser is deployed. The X-26 Taser is equipped with a dataport which houses a computer chip that records and stores the date and time the Taser is deployed. The Police Department has equipped and trained 150 officers with the X-26 Taser to date, with this purchase bringing the total to 205 Tasers. From January 2004 through April 11, 2005, there have been 144 incidents where the Taser has been used.

In light of recent events regarding the Taser's deployment by the Miami-Dade Police Department and subsequent concerns raised by community leaders, the MBPD's policy has been closely reviewed. Representatives of the MBPD have also attended community forums with other local police agencies, the Miami-Dade State Attorney's and Medical Offices and members of the Community Relations Board. The Police Department will continue to do everything possible to ensure the X-26 Taser is used only in strict adherence to the Taser deployment policy.

### **CONCLUSION**

The Administration recommends that the Mayor and City Commission of the City of Miami Beach, Florida, adopt the attached resolution approving the issuance of a purchase order to DGG Taser, Inc. for the purchase of X-26 Tasers, air cartridges and holsters in the estimated amount of \$55,000.

T: agenda/2005/April2005/consent/DGGMemo.doc



**TASER**  
INTERNATIONAL®

7860 E McClain Drive, Suite 2 \* Scottsdale, Arizona \* 85260 \* 480-991-0797 \* Fax 480-991-0791 \* [www.taser.com](http://www.taser.com)

March 18, 2005

Miami Beach Police department

Attn: Pamela Leja

Fax 305-673-7851

Ph 305-673-7497

To Whom It May Concern,

This letter is to confirm TASER<sup>®</sup> International, Inc. is the sole source manufacturer of the less lethal ADVANCED TASER X26 Model 26000, M26 Model 44000, AIR TASER Model 34000, Model 34001, Model 34100, Model 34120 and custom attachable laser sight, Model 34700.

TASER International is also the sole source manufacturer of the patented, 15-foot Air Cartridges, Model 34200, and 34228 and the patented, 21-foot Air Cartridges, Model 44200, 44201, 44405 and 44228. The Air Cartridges are required for the unit to function in the remote TASER mode.

These are some of the unique features the ADVANCED TASER has that are not found with other TASERS:

The ADVANCED TASER is the only less-lethal weapon that can stop an aggressive, focused combat trained attacker.

The ADVANCED TASER directly stimulates motor nerve and muscle tissue, causing incapacitation regardless of mental focus, training, size, or drug induced dementia.

The ADVANCED TASER X26 comes with an on-board memory chip to download 2,000 past firings while the ADVANCED TASER M26 comes with an on-board memory chip to download 585 past firings based on the time and date the unit was fired to protect officers from unfounded charges of misuse of force.



The ADVANCED TASER has over 99.9% field effectiveness rating.

The ADVANCED TASER X26 and M26 are available with an option to remotely fire the Air Cartridge from underneath a rifle, robot, tactical mirror on a pole, camera, etc.

The ADVANCED TASER uses the exact same hand motions and muscle memory as standard 9 mm semi-automatic pistols, drastically reducing the amount of time required to train.

User training and instructor training materials are all on CD-Rom for ease of reproduction for training.  
Propulsion System for air cartridge is compressed nitrogen (1800 lbs/in<sup>2</sup>).

**The Sole Authorized Police Distributor for the M26 & X26 in Florida and Georgia is:**

**DGG TASER, Inc. Federal ID 593628391**  
**10034 Plank Lane**  
**Jacksonville, FL 32220**  
**(904) 781-8184 phone**  
**(904) 781-8194 fax**  
**dggtaser@aol.com e-mail**

Please note the ADVANCED TASER®, AIR TASER® and TASER® are registered trademarks. TASER-Wave™ is a trademark of TASER International Inc. Patent: U.S. 5,078,117 and others pending in the United States and Worldwide. Copyright 1999 TASER International, Incorporated.

Please contact me at 480-905-2006 with any questions.

Sincerely,



Stephen D. Tuttle  
Director of Government & Law Enforcement Affairs

**CITY OF MIAMI BEACH**  
**Office of the City Manager**  
**Letter to Commission No. 312-2004**



**To:** Mayor David Dermer and  
Members of the City Commission

**Date:** December 16, 2004

**From:** Jorge M. Gonzalez  
City Manager

A handwritten signature in dark ink, appearing to read "Jorge", written over the printed name of the City Manager.

**Subject:** X-26 TASER DEPLOYMENT POLICY

The purpose of this Letter to the City Commission is to inform you of the City's policy on the above subject in light of the recent media attention in other jurisdictions in South Florida. The primary purpose of the X-26 Taser device is to provide a non-deadly restraint mechanism to diffuse volatile situations or confrontations without significantly injuring the subject or the officer. In all deployments of the Taser, it is understood that the subject is either arrested or taken into custody pursuant to the Marchmen and Baker Acts.

The X-26 Taser uses an electrical signal to temporarily override the central nervous system and directly control skeletal muscles. This causes an uncontrollable contraction of the muscle tissue which debilitates a person regardless of pain tolerance or mental focus. The device delivers a minimal amount of direct current of less than .0048 amperes in conjunction with high voltage of 50,000 volts per discharge. This causes no significant injuries. This claim is supported by the Miami-Dade County Medical Examiner's Office.

The Taser policy prohibits deployment on juveniles under the age of 13, pregnant women, and elderly persons unless the use of deadly force is justified. The policy is in compliance with the manufacturer's guidelines and public safety standards. The policy also contains stringent supervisory oversight each time the Taser is deployed. A supervisor is required to respond to the scene of each deployment, conduct a supervisory investigation, and document their findings in a Control of Persons report. The X-26 Taser is also equipped with a dataport which houses a computer chip that records and stores the date and time the Taser is deployed. This information can be downloaded for further review and analysis. The Internal Affairs Unit also reviews all Control of Persons reports providing quarterly and annual reports outlining patterns and areas of concern. The Police Department has equipped and trained 134 officers with the X-26 Taser.

From January through November 2004, the Taser has been used 117 times while an arrest was being made. There were 10,541 arrests during this time period of which 303 instances required some level of force to control the subject.

In light of recent events regarding the Taser's deployment by the Miami-Dade Police Department and subsequent concerns raised by community leaders, the MBPD's policy has been closely reviewed. Representatives of the MBPD have also attended community forums with other local police agencies, the Miami-Dade State Attorney's and Medical Offices and members of the Community Relations Board. The Police Department will continue to do everything possible to ensure the X-26 Taser is used only in strict adherence to the Taser deployment policy.

Should you need additional information, please feel free to contact me.

JMG\DWDMG\lr

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CITY CLERK'S OFFICE  
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RECEIVED

## **RESOLUTION TO BE SUBMITTED**

**CITY OF MIAMI BEACH  
COMMISSION ITEM SUMMARY**



**Condensed Title:**

A Resolution authorizing the appropriation of \$110,000 in Concurrency Mitigation Funds for traffic calming purposes, including the purchase of two speed/volume counters and related software and accessories at approximately \$5,000; develop and implement a traffic calming pilot program and a traffic calming manual at a cost not to exceed \$25,000; and purchase materials to implement recommended traffic calming measures for the pilot areas at approximately \$80,000

**Issue:**

Shall the City appropriate Concurrency Mitigation Funds to start a traffic calming program?

**Item Summary/Recommendation:**

The need for traffic calming has been consistently raised by Miami Beach residents during public involvement meetings for the Basis of Design Report (BODR) phase of various capital improvement projects for neighborhood streets. Most of the residents concerns are related to cut-through traffic in their neighborhoods or speeding through the neighborhood streets. Most cities that have developed successful traffic calming programs, have first implemented pilot projects before starting full implementation of citywide traffic calming measures.

In order to develop and implement a citywide traffic calming program, the City Administration proposes to do the following:

1. Contract with Kittelson & Associates to manage the traffic count measurements and the development of traffic calming solutions for the pilot areas. The Consultant will use the before and after studies of the pilot program to serve as the basis for the creation of a Traffic Calming Manual for Miami Beach. The contract cost should not exceed \$25,000.
2. Purchase two (2) Nu-Metrics Portable Traffic Analyzers plus accessories and related software, at approximately \$5,000. The counters will be used to conduct traffic speed and volume counts at four selected pilot areas in Middle and North Beach. The counters will assist the City Consultant to identify the extent of the traffic related problem at a given local street or streets.
3. Purchase traffic calming materials to implement solutions recommended for the pilot areas, at an approximate cost of \$80,000. If traffic circles are also recommended for implementation, the latter cost may increase by \$20,000-\$30,000 per site.

The Concurrency Mitigation Fund is the appropriate source to cover the \$110,000 total cost of the above mentioned items. The fund appropriation should be made as shown in the Financial Information below. The Administration recommends approval.

**Advisory Board Recommendation:**

N/A

**Financial Information:**

Source of Funds:		Amount	Account	Approved
<div style="border: 1px solid black; width: 80px; height: 60px; margin: 0 auto;"></div> Finance Dept.	1	\$ 60,000	158.8000.341227 (MB)	
	2	\$ 35,000	158.8000.341228 (NB)	
	3	\$ 15,000	158.8000.341226 (SB) for the Traffic Calming Manual only.	
	4			
	<b>Total</b>	<b>\$110,000</b>	Community Sustainability Object Code	

**City Clerk's Office Legislative Tracking:**

Robert Halfhill 6833 and Amelia Johnson

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager

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AGENDA ITEM

C7L

DATE

4-20-05

# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
www.miamibeachfl.gov



## COMMISSION MEMORANDUM

**To:** Mayor David Dermer and  
Members of the City Commission

**Date:** April 20, 2005

**From:** Jorge M. Gonzalez  
City Manager

**Subject:** **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE APPROPRIATION OF \$110,000 IN CONCURRENCY MITIGATION FUNDS FOR TRAFFIC CALMING PURPOSES, INCLUDING THE PURCHASE OF TWO (2) NUMERICS SPEED AND VOLUME COUNTERS AND RELATED SOFTWARE, AT APPROXIMATELY \$5,000; DEVELOP TRAFFIC CALMING PLANS AND MANUAL FOR MIAMI BEACH AT A COST NOT TO EXCEED \$25,000; AND PURCHASE MATERIALS TO IMPLEMENT SOLUTIONS RECOMMENDED FOR THE PILOT AREAS, AT APPROXIMATELY \$80,000.**

### ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

### ANALYSIS

The need for traffic calming has been consistently raised by Miami Beach residents during public involvement meetings for the Basis of Design Report (BODR) phase of various capital improvement projects for neighborhood streets.

Most of the residents concerns are related to cut-through traffic in their neighborhoods or speeding through the neighborhood streets. Most cities that have developed successful traffic calming programs have first implemented pilot projects before starting full implementation of citywide traffic calming measures.

The City has had preliminary discussions with Kittelson & Associates, Inc., a company based in Fort Lauderdale, who has prepared successful traffic calming plans for a number of cities, including, Fort Lauderdale, Orlando and Coral Springs. The Coral Springs program developed by Kittelson & Associates, Inc. is very successful and a model which is proposed to be followed in our approach to the development of the citywide traffic calming program and implementation of projects.

The Coral Springs approach to traffic calming that is being modeled is to develop a city wide traffic calming program that specifies the City policy and process for the identification, evaluation and implementation of traffic calming projects. The policy document is preceded by several pilot or test projects that are used to gather data

necessary for the overall policy statement. Typically the pilot projects are conducted at sites representative of traffic conditions in the City and data on traffic speed and volume is measured both before and after the construction of an appropriate traffic calming device. The data gathering is significant as it forms the basis of the policy document statement of what nature of traffic conditions will ultimately be eligible for traffic calming measures under this program.

One of the underlying assumptions of the traffic calming program policy document that will ultimately be presented to the Commission for review and approval is that not all sites and neighborhoods will be appropriate for or eligible to receive traffic calming construction projects. The policy document will establish, and be supported by the pilot project test data, the thresholds for speed and volume of traffic that will qualify for traffic calming measures.

In order to efficiently conduct the test projects, it is most cost effective for the City to purchase traffic counting devices that will be used to collect data for the tests and in any subsequent projects undertaken in the future.

In consultation with Kittelson & Associates and the Capital Improvement Program Office, the Public Works Department has identified the following streets to be part of the pilot program.

- North Shore Drive, between Shore Lane and Fairway Drive (NB)
- North Bay Drive, between N. Michigan Avenue and 20<sup>th</sup> Street (MB)
- 62<sup>nd</sup> Street, between Alton Road and La Gorce Drive (MB); and
- Prairie Avenue, between 28<sup>th</sup> Street and 41<sup>st</sup> Street (MB)

The following parameters were used to select the above pilot areas:

- Neighborhood streets that have had traffic intrusion problems.
- Neighborhood streets that will be under construction by the Capital Improvement Program within the next two years.
- Neighborhood streets that have longer runs of several blocks for pilot program testing.
- Neighborhood streets that residents have consistently complained about speeding or cut-through traffic.

The above selected streets provide more than an adequate and manageable sample to conduct before and after traffic studies that will provide the data necessary for the policy document.

It is important to note that in the pilot areas, as well as in any subsequent policy document or future project, affected neighborhoods will be heavily involved in the traffic calming process. In the case of the pilot areas, it is necessary to have a pre-selected list that has the required conditions to analyze in support of the final policy document. Typically a neighborhood would initiate a request for traffic calming and be involved thereafter. In the pilot areas, neighborhood involvement as we proceed with the test will be provided. In no case does the City anticipate constructing traffic calming devices without the agreement of a majority of an affected area.

Specific actions and expenditures for the program include:

1. Contract with Kittelson & Associates to manage the traffic count measurements and the development of traffic calming solutions for the pilot areas. The Consultant will use the before and after studies of the pilot program to serve as the basis for the creation of a Traffic Calming Manual for Miami Beach. The contract cost should not exceed \$25,000 for the pilot areas and the policy manual.

The proposed contract with Kittelson & Associates would include the following:

- Analyze the traffic speed and volume data to be collected by the City at the four pilot areas;
- If warranted by the counts, traffic calming plans will be developed and recommended for implementation at the pilot area locations;
- Produce a City traffic calming manual which will provide the goals, objectives and policies for traffic calming in Miami Beach and establish the criteria and evaluation process to determine whether or not traffic calming is warranted in a given local street.

The consultant-provided scope of services and cost estimate for these tasks is attached as information.

2. Purchase two (2) Nu-Metrics Portable Traffic Analyzers plus accessories and related software, at approximately \$5,000. The counters will be used to conduct traffic speed and volume counts at four selected pilot areas in Middle and North Beach. The counters will assist the City Consultant to identify the extent of the traffic related problem at a given local street or streets.
3. In order to implement traffic calming solutions recommended for the pilot areas and in order to fully analyze pilot impacts, the City Administration will purchase traffic calming materials at an approximate cost of \$80,000. The amount budgeted is to purchase necessary materials for the appropriate traffic calming device for the selected pilot areas. The construction material cost would allow for devices such as speed humps. In the event the pilot study indicates a more expensive option, such as a traffic circle, an additional appropriation in the amount of \$20,000 to \$30,000 might be required.

The Concurrency Mitigation Fund is the appropriate source to fund these items, at an estimated cost of \$110,000. Costs will be distributed proportionately among the North, Middle, and South Beach Transportation Concurrency Management Areas (TCMA)'s.

JMG\RCM\FB

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Attachments: KAI-Provided Scope of Services and Cost Estimate



**KITTELSON & ASSOCIATES, INC.**

**TRANSPORTATION PLANNING/TRAFFIC ENGINEERING**

110 E. Broward Boulevard, Suite 2410 • Ft. Lauderdale, FL 33301 • (954) 828-1730 • Fax (954) 828-1787

March 28, 2005

Project #: 7017.P

Fred Beckmann, P.E.  
Director  
City of Miami Beach - Public Works  
1700 Convention Center Drive  
Miami Beach, FL 33139

**RE: Engineering Services Associated with Traffic Calming Activities**

Dear Mr. Beckmann:

Kittelison and Associates, Inc is pleased to submit a proposal for project activities associated with assisting the City of Miami Beach in implementing its traffic-calming program. This involves a series of pilot studies and the development of a city-wide traffic calming manual. Exhibit "A" identifies our proposed scope of work.

We propose to conduct the work on a time and materials basis with an upset limit not to exceed \$25,000 without prior authorization in the form of a new purchase order number or an extended purchase order number. We will provide you with a monthly progress report and invoice at the end of each month, so that you can track our progress.

I will serve as the Project Manager and John Zegeer will serve as the Project Principal. Any questions of a technical or contractual nature can be directed to either John or me. Please contact me if you have any questions or need additional information.

Sincerely,  
**KITTELSON & ASSOCIATES, INC.**

Thuha Nguyen  
Project Manager

Cc: Ms. Luz Maria Ciccio  
Mr. Fernando Vazquez



## EXHIBIT "A" SCOPE OF WORK

Kittelson & Associates, Inc. will provide assistance to the City of Miami Beach in the planning and implementation of the City's Traffic Calming Program. The following tasks are anticipated:

1. The City of Miami Beach staff will conduct and summarize the speed and volumes studies within the four (4) study areas below:
  - North Bay Road (between N Michigan Avenue and W 29<sup>th</sup> Street)
  - North Shore Drive (between Shore Lane and Fairway Drive)
  - W 62<sup>nd</sup> Street (between Alton Road and La Gorce Drive), and
  - Prairie Avenue (between 28<sup>th</sup> Street and 41<sup>st</sup> Street).

The speed and volume studies are to be completed with the *HI-STAR Portable Traffic Analyzers* by Nu-Metrics. Two devices are to be purchased and maintained by the City of Miami's Public Works Department. It is recommended that the 24-hour study to be conducted on typical weekdays for both directions, at locations recommended and approved by the City staff and KAI staff.

2. Kittelson & Associates, Inc. (KAI) will assist City staff with reviewing the results of these studies.
3. Using the speed and volume thresholds documented in the City of Coral Springs' Traffic Calming Manual as initial evaluation guidelines, KAI will assist the City staff to adjust these thresholds if needed to better reflect the traffic characteristics of the City of Miami Beach.
4. KAI will conduct a site visit to each of the study roadways to identify potential locations for the treatment and to note any other safety concerns existing along the roadway segments.
5. KAI will prepare the preliminary traffic-calming plans for each of the roadway segment. If speed hump is the recommended treatment, a signing and striping details plan for the speed hump will be prepared. If other treatments (such as chicanes, traffic circles, chokers, neckdowns etc.) are recommended, additional study will be required as each treatment location is unique.
6. KAI will attend a meeting with the proposed Traffic Management Team (consisting of City staff, including the police department, fire department, Public Works, Planning, etc.), to address and concerns raised regarding the plans. Revisions will be made to the plan to address these concerns if needed.
7. KAI will participate in up to three (3) neighborhood meetings in support of the Traffic Calming Plans.
8. As a part of the on-going monitoring effort, KAI recommends that two (2) annual speed and volume studies be completed by the City at least six (6) months after the installation of the recommended treatment. KAI will address any adjustments to the traffic-calming plan upon reviewing the "after study" results.

9. KAI shall assist the City with developing a Traffic Calming Manual to be adopted by the City's Board of Commissioners. This document will serve as an approved methodology for traffic calming consideration. This task includes the review of the manuals developed by other cities and the development of recommendations on modifying criteria to better suit the City of Miami Beach traffic operational characteristics.
10. KAI shall provide advice to the City in forming a Traffic Management Team (TMT) and shall attend up to three (3) monthly TMT meetings to provide advice on any transportation issues, particularly on traffic calming within the city. This includes the presentation of the pilot studies.

Schedule: The traffic-calming plan will be produced three (3) months after the completion of the initial speed and volume studies. The Traffic Calming Manual is to be completed six (6) months after the receipt of Notice to Proceed.

Fee: Not to exceed \$25,000

**Kittelson & Associates, Inc. will continue to be directed by the City in the types of services needed. If the limit of this agreement is reached, Kittelson & Associates, Inc., at the direction of the City, will submit a request for a budget extension.**

## EXHIBIT "B" PROVISIONS

1. General: In case any one or more of the provisions contained in this Agreement shall be held illegal, the enforceability of the remaining provisions contained herein shall not be impaired thereby.
2. Authorization to Proceed: Signing this form shall be construed as authorization by CLIENT for KITTELSON & ASSOCIATES, INC. to proceed with the work, unless otherwise provided for in the Authorization.
3. Direct Expenses: KITTELSON & ASSOCIATES, INC.'s Direct Expenses shall be those costs incurred on or directly for the CLIENT'S Project, including but not limited to necessary transportation costs including mileage at KITTELSON & ASSOCIATES, INC.'s current rate when its automobiles are used, meals and lodging, computer services, word processing services, telephone, printing, and binding charges. Reimbursement for automobiles, meals and lodging, and any other expenses furnished by commercial sources shall be on the basis of actual charges plus ten percent. All communication fees including, but not limited to computer services, telephone, faxes, postage, overnight deliveries, copies, printing, and binding charges shall be on the basis of a per direct labor hour fee when furnished by KITTELSON & ASSOCIATES, INC.
4. Professional Services: KITTELSON & ASSOCIATES, INC. staff is defined as all permanent and temporary employees, as well as any and all contract labor of KITTELSON & ASSOCIATES, INC.
5. Cost Estimate: Any cost estimates provided by KITTELSON & ASSOCIATES, INC. will be on a basis of experience and judgment, but since it has no control over market conditions or bidding procedures KITTELSON & ASSOCIATES, INC. cannot warrant that bids or ultimate construction costs will not vary from these cost estimates.
6. Professional Standards: KITTELSON & ASSOCIATES, INC. shall be responsible, to the level of competency currently maintained by other practicing professional engineers in the same type of work in CLIENT'S community, for the professional and technical soundness, accuracy, and adequacy of all designs, drawings, specifications, and other work and materials furnished under this Authorization. KITTELSON & ASSOCIATES, INC. makes no other warranty, express or implied.
7. Termination: Either CLIENT or KITTELSON & ASSOCIATES, INC. may terminate this Authorization by giving 30 days written notice to the other party. In such event, CLIENT shall forthwith pay KITTELSON & ASSOCIATES, INC. in full for all work previously authorized and performed prior to effective date of termination. If no notice of termination is given, relationships and obligations created by this Authorization shall be terminated upon completion of all applicable requirements of this Authorization.
8. Legal Expenses: In the event that either party retains an attorney to enforce this contract, such party shall be entitled to recover their attorney fees, even though no lawsuit or other legal proceeding is filed. In the event of a lawsuit or other legal proceeding, the prevailing party shall be entitled to recover attorney fees at both the trial and appellate levels.
9. Payment to KITTELSON & ASSOCIATES, INC.: Monthly invoices will be issued by KITTELSON & ASSOCIATES, INC. for all work performed in excess of the retainer amount under the terms of this agreement. **Payment should be made to: Kittelson & Associates, Inc. 610 S.W. Alder Street, Suite 700, Portland, Oregon 97205.** Invoices are due and payable within 30 days of receipt. Interest at the rate of 1.5 percent per month will be charged on all past-due amounts, unless not permitted by law, in which case, interest will be charged at the highest amount permitted by law. Work will stop on projects when payment has not been received within 90 days. Legal action will be taken on unpaid invoices over 120 days.
10. Limitation of Liability: KITTELSON & ASSOCIATES, INC.'s aggregate liability to the CLIENT for breach of contract, negligence, malpractice or tort shall be limited to an amount no greater than the fees earned under this Agreement.
11. Jurisdiction and Venue: Any action to enforce the terms of this agreement shall be maintained in either the Broward County (Florida) Circuit Court or the Fort Lauderdale Division of the United States District Court for the District of Florida. CLIENT consents to jurisdiction in Florida for any such lawsuit.
12. Florida Law: The rights and liabilities of the parties to this agreement shall be governed by the laws (without regard to choice of law rules) of the State of Florida.

## **RESOLUTION TO BE SUBMITTED**

**CITY OF MIAMI BEACH  
COMMISSION ITEM SUMMARY**



**Condensed Title:**

A Resolution Approving Amendment Five To The City's Agreement With EDAW For The Design Of The Flamingo Neighborhood ROW Improvement Project Increasing The Fee By A Total of \$556,214 To Provide For Additional Services Consisting Of Water Main Design and Construction Administration Services, Utility Verification Services, Extended Planning Phase Services, and Encroachment Analysis Services Which Are Required To Implement the Project and Further Appropriating the Required and Available Additional Funding From Series 2000 Water and Sewer Bond Design/Management Contingency Funds, Series 2000 Stormwater Bond Design/Management Contingency Funds, Series 2000 Water and Sewer Bond Funds, 2000 Stormwater Bond Funds, and 1999 G.O. Bond Funds For This Purpose.

**Issue:**

Shall the City amend its agreement with EDAW for the design of the Flamingo Neighborhood Right of Way Improvement Project by \$556,214 to provide for additional planning and design services required to implement the Project and appropriate the corresponding required funding?

**Item Summary/Recommendation:**

On July 18, 2001, the City executed an agreement with EDAW for the design of the Flamingo Neighborhood ROW Improvement Project with a not to exceed fee of \$1,840,000. Amendments One and Two for, respectively, the design of Meridian Avenue improvements (\$35,999) and improvements within the South Pointe RDA and City Center RDA (\$278,806), were approved on 9/11/02. Amendment Three for the provision of additional geotechnical investigations in the amount of \$63,298 was approved on 10/15/03. Amendment Four was negotiated and approved by the City in December 2004 in the amount of \$14,423 for additional professional services required to prepare the application and supporting documentation and present the Project 60% design documents to the Historic Preservation Board bringing the total agreement value to \$2,232,526. As the Project design has progressed, a need for the following additional required services has been identified: (1) additional water main design, permitting, and construction administration services required for the addition and change of location of required water line improvements (\$280,990); (2) additional utility location services to include a total of 1,414 locations and the associated coordination effort (\$242,809); (3) additional planning services due to the extension of the project planning phase by 22 weeks (5 and a half months) beyond the period specified in the contract (\$12,221); and (4) encroachment analysis services required to identify encroachments in a manner necessary for the Project but not provided for in the original Agreement (\$20,194). Funding for the additional services is available from the appropriate sources. The Neighborhood ROW Improvement Program Manager Hazen and Sawyer recommends that the City approve the Amendment. The Finance and City Wide Projects Committee recommended approval of Amendment five at their meeting on April 8, 2005. The Administration recommends approval of the resolution.

**Advisory Board Recommendation:**

NA

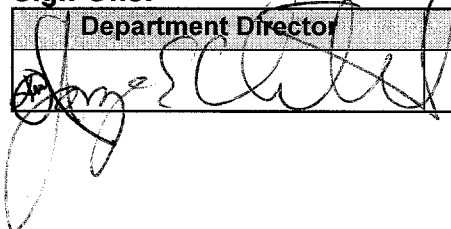
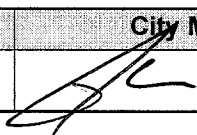
**Financial Information:**

Source of Funds:	Amount	Account	Approved
<div style="border: 1px solid black; width: 100px; height: 100px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 100px; height: 100px;"></div>	1	\$128,309	Series 2000 Water and Sewer Bond
	2	\$4,725	Series 2000 Stormwater Bond
	3	\$7,999	1999 G.O. Bond
	4	\$121,405	Series 2000 Water and Sewer Design/Management Contingency
	5	\$121,404	Series 2000 Stormwater Design/Management Contingency
Finance Dept.	<b>Total</b>	<b>\$383,842</b>	

**City Clerk's Office Legislative Tracking:**

Donald Shockey, CIP Office

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager
		

AGENDA ITEM C7M

DATE 4-20-05

# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
www.miamibeachfl.gov



## COMMISSION MEMORANDUM

**To:** Mayor David Dermer and  
Members of the City Commission

**Date:** April 20, 2005

**From:** Jorge M. Gonzalez  
City Manager

**Subject:** **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH APPROVING AMENDMENT FIVE TO EDWARDS AGREEMENT WITH THE CITY FOR THE PLANNING AND DESIGN OF THE FLAMINGO NEIGHBORHOOD RIGHT OF WAY IMPROVEMENT PROJECT TO PROVIDE FOR ADDITIONAL PROFESSIONAL SERVICES IN THE AMOUNT OF \$556,214 REQUIRED TO IMPLEMENT THE PROJECT INCLUDING ADDITIONAL WATER MAIN REPLACEMENT, UTILITY VERIFICATION, EXTENDED PLANNING PHASE, AND ENCROACHMENT ANALYSIS SERVICES, AND FURTHER APPROPRIATING FUNDING FOR THIS PURPOSE AS FOLLOWS: \$121,405 IN SERIES 2000 WATER AND SEWER BOND DESIGN/MANAGEMENT CONTINGENCY FUNDS; \$121,404 IN SERIES 2000 STORMWATER BOND DESIGN/MANAGEMENT CONTINGENCY FUNDS; \$128,309 IN SERIES 2000 WATER AND SEWER BOND FUNDS; \$4,725 IN SERIES 2000 STORMWATER BOND FUNDS; AND \$7,999 IN 1999 G.O. BOND FUNDS.**

### Administration Recommendation

Approve the Resolution.

### Funding

Funding for the Amendment will be provided as follows:

- \$17,774 from 1999 G.O. Bond Funds;
- \$285,130 from Series 2000 Water and Sewer Bond Program construction contingency funds;
- \$10,501 from Series 2000 Stormwater Bond Funds;
- \$121,405 from Series 2000 Water and Sewer Bond Design/Management Contingency funds; and
- \$121,404 from Series 2000 Stormwater Bond Design/Management Contingency Funds.

The portion of the costs for which this funding is being provided generated by work in

construction Bid Package C have not been previously appropriated. Therefore, the following amounts need to be appropriated:

- \$121,405 from Series 2000 Water Design/Management Contingency Funds;
- \$121,404 from Series 2000 Stormwater Bond Design/Management Contingency Funds;
- \$128,309 from Series 2000 Water and Sewer Bond Funds;
- \$4,725 from Series 2000 Stormwater Bond Funds; and
- \$7,999 in 1999 G.O. Bond Funds.

## **ANALYSIS**

On July 18, 2001, the City executed an agreement with EDAW for the planning and design of the Flamingo Neighborhood Right of Way Infrastructure Improvement Project with a not-to-exceed fee of \$1,840,000. The Project includes water supply, drainage, landscape, lighting, traffic calming, and streetscape improvements. Amendments One (1) and Two (2) for, respectively, the design of Meridian Avenue improvements (\$35,999) and improvements within the South Pointe RDA and City Center RDA (\$278,806), were approved on 9/11/02, increasing the total contract value to \$2,154,805. Amendment Three (3) for the provision of additional geotechnical investigations in the amount of \$63,298 was approved on 10/15/03 further increasing the total agreement value to \$2,218,103. Amendment Four (4) was negotiated and approved by the City in December 2004 in the amount of \$14,423 for additional professional services required to prepare the application and supporting documentation and present the Project 60% design documents to the Historic Preservation Board bringing the total agreement value to \$2,232,526. The construction design of the Project is currently at the 60% completion level and was approved by the Historic Preservation Board for on April 12, 2005 and is scheduled to be presented at a Community Design Review Meeting on April 14, 2005.

## **Additional Services for Water-related Infrastructure**

As work on the Project has continued, a need for a number of additional required services has been identified. Original scopes of work were prepared for the various neighborhood consultants based upon input from the various Departments, such as the Planning and Public Works Departments. Underground utility infrastructure requirements were identified at the onset of the program via a series of meetings that were intended to identify those utilities that required replacement. As the planning and design phases progressed, the Public Works Department finalized its field data collection and system evaluation activities. This additional investigative work identified the need for additional water mains to be replaced based upon anticipated system capacity requirements and end of useful life criteria. A water main replacement program was established by the Public Works Department with three priority levels; this effort took approximately 24 months to complete. Sufficient funding was determined to be available to replace all identified citywide Priority 1 (undersized lines that need to be increased in size to meet increased demand and fire safety supply requirements) and Priority 2 (galvanized iron lines that need to be replaced)

water mains. However, funding shortfalls precluded the replacement of all but the most important Priority 3 (iron lines that need to be replaced because of extensive tuberculation) water mains.

In an effort to move the neighborhood improvement projects forward, detailed design activities proceeded on a parallel path to the Public Works Department's water main replacement investigative effort. As a result, adjustments were required to the type, length and location of lines well into the design process. Originally, approximately 22,240 feet were identified to be replaced. Some of these were not included in the prioritized listing once it was completed. Other lines that had not been part of the original scope were identified to be included in the completed prioritized listing. Therefore, it became necessary to amend the original Agreement to provide neighborhood consultants with the requisite compensation to design, permit, and provide construction administration services for the additional work.

**As a result of these analyses, a revised total of 30,600 linear feet (as compared to the original total of 22,240 linear feet) of water mains were identified to be replaced within the Project boundaries.** A fee of \$280,990 (Attachment A) was negotiated to compensate the Consultant for the additional detailed design, permitting, and construction administration services required to implement the revised water main scope of work; it is proposed that this cost will be funded through the Series 2000 Water and Sewer Bond Project construction contingency funding. The portion of this cost generated by work in construction Bid Package C has not been appropriated. Therefore \$126,446 in Series 2000 Water and Sewer Bond Project construction contingency funding needs to be appropriated.

The actual construction cost impact of the revised water main design is anticipated to be an approximate increase of \$3,401,756. This increase is generated by the increased quantity of water mains to be constructed as well as the increased expenses associated with routing water mains around proposed new underground utilities. It is anticipated that this funding will be provided through the issuance of a supplemental Water and Sewer Bond.

#### **Additional Underground Utility Verification Services**

The original Agreement included an allowance of \$25,000 for underground utility verification to ensure that proposed improvements do not conflict with existing utilities. (Resolution of these conflicts during actual construction is extremely costly so it is critical that they be minimized or eliminated while developing the construction documents). As the Project design has progressed, the areas of potential conflict have increased substantially due to the additional water main replacements required as discussed above. In addition, the Consultant has recently raised a concern with the validity of available underground utility information provided by the various utility owners. Therefore, the Consultant has identified a need for a total of 1,414 locations that require verification. It is important to note that the underground utility verification services cost proposal obtained is a very



competitive rate due to the volume of work to be performed. Further, this is a reimbursable cost, and every effort will be made to utilize only that portion which is required. To this end, Hazen and Sawyer, the Program Manager, has obtained related information from the State of Florida Department of Transportation which, once the testing process begins, may reduce the actual number of required locations.

The original scope of services established an allowance of \$25,000 for this effort. It was always contemplated at the project initiation that this allowance would have to be reevaluated when additional utility information was made available by the utility owners. Therefore, an additional \$222,450 is required to supplement the existing allowance. Further, there is additional effort on the part of the Consultant to coordinate the increased number of test holes; the City negotiated an amount of \$20,359 for this additional effort. These costs are detailed in Attachment B. The negotiated fee for all utility verification services is \$267,809; however, \$25,000 has already been allocated and appropriated. Therefore, the total cost of proposed **additional services related to utility verification is \$242,809** and is proposed to be funded equally through the Water and Sewer and Stormwater Bond Design/Management Contingency components of the Program contingency set aside for such services; this entire amount needs to be appropriated from Water and Sewer and Stormwater Bond Design/Management Contingency funding. The results of this extensive additional testing may require some redesign of parts of the Project but should serve to avoid an increase in the Project construction cost.

#### **Extended Planning Phase Additional Services**

As a result of additional time needed to reach consensus on the Project scope with both the community and City Departments, **the planning phase of the Project extended 22 weeks (approximately five and a half months) beyond the period specified in the original Agreement**, requiring a substantial additional effort by the Consultant. There will be no additional construction costs generated by this effort. A fee of \$12,221 (Attachment C) was negotiated for these additional services and will be funded through the G.O. Bond component of the Project construction contingency. The portion of this cost generated by work in Construction Bid Package C has not been appropriated. Therefore, \$5,500 in 1999 G.O. Bond Program construction contingency funding needs to be appropriated.

#### **Encroachment Analysis Additional Services**

The City has developed a standard procedure for addressing right-of-way encroachments that requires the encroachments to be listed in a particular format by address and disposition that was not specified in the original Agreement. **Encroachments identified in the Flamingo neighborhood number in the hundreds**, and a fee of \$20,194 (Attachment C) was negotiated for this additional effort. The provision of the encroachment listing in the requested format is intended to expedite their resolution which would serve to limit construction cost increases that might otherwise be generated by confronting these issues during actual construction. The need for this encroachment analysis is generated by above ground improvements, water improvements, and

stormwater improvements. Therefore the cost of this service will be allocated to G.O. Bond, Water and Sewer, and Stormwater Bond funding according to their corresponding percentage of the total construction budget. Funding for this service will therefore be provided as follows: \$5,553 in 1999 G.O. Bond Program construction contingency funds; \$4,140 in Series 2000 Water and Sewer Bond Program construction contingency funds; and \$10,501 in Series 2000 Stormwater Bond Program construction contingency funds. The portion of this funding generated by work falling within Bid Package C has not been previously appropriated. Therefore, the following funding appropriations need to be made: \$2,499 in G.O. Bond Program construction contingency funds; \$1,863 in Series 2000 Water and Sewer funding Program construction contingency funds; and \$4,725 in Series 2000 Stormwater Bond Program construction contingency funds.

### **Conclusion**

Together, these additional services totaling \$556,214 constitute Amendment Five (5) to EDAW's Agreement for the planning and design of the Flamingo Neighborhood ROW Improvements Project. The Neighborhood ROW Improvement Program Manager Hazen and Sawyer has determined that these additional services are required to implement the Project. This Amendment will increase the total EDAW agreement value to \$2,788,740 out of a total Project cost of approximately \$32.6 million. The Finance and Citywide Projects Committee discussed this request for additional services at their meeting on April 8, 2005, and recommended that the full amount of additional services be sent to the Commission on April 20, 2005 for approval.

JMG/TH/JECH/KLM/DPS 

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## ATTACHMENT A

EDAW INC

1688 MERIDIAN AVENUE

SUITE 303

MIAMI BEACH FLORIDA

33139

TEL 305 604 5878

FAX 305 604 5704

LICENSE NUMBER LC0000386

www.edaw.com

24 September 2004

Charles O. Carreño, P.E.  
Deputy Project Manager  
Hazen & Sawyer, P.C.  
975 Arthur Godfrey Road, Suite 211  
Miami Beach, FL 33140

**Re: City of Miami Beach  
Right-of-Way Infrastructure Improvement Program  
Neighborhood No. 10: Flamingo / Lummus (1A029.01)  
Waterline Add Fee Proposal**

Dear Mr. Carreño:

As discussed at the July 30, 2004 Design Progress Review Meeting, we are rescinding our November 18, 2003 proposal and submitting this updated manhour / fee estimate in the amount of \$280,990 for additional planning, design, bid & award, and construction administration services related to the revised water main improvement plan per Exhibit A-3.

- The total estimated length of water main replacement under Exhibit A (original contract) is 22,240 feet.
- The total estimated length of water main replacement under Exhibit A-3 (provided 10.10.03) is 30,600 feet.
- There are approximately 6,720 feet of overlapping or duplicate water main locations between Exhibit A and Exhibit A-3.

This proposal considers the water main work associated with Exhibit A to be 60% complete with detailed design. The requested additional compensation is based on the following:

- bringing 23,880 LF of new pipe (30,600 LF of pipe per Exhibit A-3 less 6,720 LF overlap from Exhibit A) from 0 to 100% complete through B&A and CA
- crediting back 15,520 LF of pipe replacement (22,240 LF of pipe per Exhibit A less 6,720 LF overlap with Exhibit A-3) from 60% through completion
- continuing to develop 6,720 LF (overlap between Exhibits A & A-3) from 60 to 100% as per original contract

We understand that the City has requested Design through CA Phase services only. Therefore, none of the tasks associated with the Planning Phase are included in this proposal.

Other considerations regarding this request may need to be addressed such as the anticipated increase in the overall construction cost due to the additional water lines

Charles O. Carreño, P.E.  
 September 24, 2004  
 Page 2 of 2

and any impact to the design/construction schedule due to the required survey and redesign effort.

This additional service request is valid for sixty (60) days at which time we reserve the right to review and renegotiate the proposed scope and fee.

Please feel free to call with any questions or comments regarding this proposal.

Best Regards,

<< sent via email without signature >>

Leonardo Alvarez  
 Vice-President / Principal

Cesar M. Garcia-Pons  
 Senior Associate

cc: David Troncale, file - EDAW

Encl.

**Confirmed and accepted by:**

EDAW, Inc.

City of Miami Beach

\_\_\_\_\_  
 Authorized Signature

\_\_\_\_\_  
 Authorized Signature

\_\_\_\_\_  
 Typed/Printed Name

\_\_\_\_\_  
 Typed/Printed Name

\_\_\_\_\_  
 Title

\_\_\_\_\_  
 Title

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Date

# **CMB Flamingo / Lummus Neighborhood Worksheet for Water Main Re-Design per Exhibit A-3**

	Proj. Director	Proj. Manager	Senior PE	Project PE	Sr. Drafter	Drafter	Admin Support	
Contract Billing Rate	\$ 155.41	\$ 128.61	\$ 110.30	\$ 93.24	\$ 76.50	\$ 55.73	\$ 42.87	
<b>Phase 1 Planning - Nil</b>								
1.1 Project Kick-Off Meeting	0	0	0	0	0	0	0	\$0.00
1.2 Infrastructure Planning Meeting	0	0	0	0	0	0	0	\$0.00
1.3 Site Recon.	0	0	0	0	0	0	0	\$0.00
1.4 Attend Visioning Session	0	0	0	0	0	0	0	\$0.00
1.5 Review Meeting	0	0	0	0	0	0	0	\$0.00
1.6.1 Community Design Workshop I	0	0	0	0	0	0	0	\$0.00
1.6.2 Community Design Workshop II	0	0	0	0	0	0	0	\$0.00
1.7 Draft Basis of Design Report	0	0	0	0	0	0	0	\$0.00
1.8 BODR Review w/ City	0	0	0	0	0	0	0	\$0.00
1.9 Additional Review Meetings	0	0	0	0	0	0	0	\$0.00
1.10 Final BODR	0	0	0	0	0	0	0	\$0.00
<b>Phase 2 Design Services</b>								
2.1 Field Verification of Existing Conditions	8	40	20	0	0	20	0	\$9,710.08
2.2 Detailed Design	28	160	185	320	320	360	0	\$119,666.83
2.3 Design / Constructability	8	16	16	16	0	4	0	\$6,782.04
2.4 Cost Options	16	24	40	80	0	20	24	\$19,591.48
2.5 Community Design Review Meetings	0	0	0	0	0	0	0	\$0.00
2.6 Document Reviews	4	28	18	28	28	40	40	\$14,900.86
2.7 Permitting Reviews	0	0	28	0	28	0	0	\$5,227.32
2.8 A/E Consulting QA/QC of Design Documents	24	48	0	0	0	0	0	\$9,903.12
<b>Phase 3 Bidding and Award</b>								
3.1 Construction Contract Document Review	0	0	0	0	0	0	0	\$0.00
3.2 Bid Document Delivery	0	0	0	0	0	0	0	\$0.00
3.3 Pre-Bid Conference	0	0	0	0	0	0	0	\$0.00
3.4 Addenda Issuance	2	4	4	8	8	24	0	\$3,214.74
3.5 Bid Evaluation	0	0	0	0	0	0	0	\$0.00
3.6 Contract Award	0	0	0	0	0	0	0	\$0.00
3.7 As-Bid Contract Documents	2	4	4	0	8	24	0	\$3,214.74
<b>Phase 4 Construction Administration</b>								
4.1 Pre-construction Conference	0	0	0	0	0	0	0	\$0.00
4.2 Weekly Construction Meetings	0	0	0	0	0	0	0	\$0.00
4.3 RF/ICOC	2	24	40	40	0	0	0	\$11,542.66
4.4 Request for Changes to Const. Cost/Sched	0	12	20	20	0	0	0	\$5,615.92
4.5 Shop Drawing Processing	0	0	0	0	0	0	0	\$0.00
4.6 Field Observation	0	6	32	32	0	0	0	\$7,287.82
4.7 Project Closeout	2	12	8	4	0	4	0	\$3,333.14
<b>Labor Summary of Phases 1 thru 4</b>								
	Proj. Director	Proj. Manager	Senior PE	Project PE	Sr. Drafter	Drafter	Clerical	
	96	378	415	540	392	496	64	2,381
<b>Total Hours</b>								
<b>Total Fees</b>	\$ 14,919.36	\$ 48,614.58	\$ 45,811.85	\$ 50,349.60	\$ 29,909.60	\$ 27,642.08	\$ 2,743.68	\$219,990.75
<b>Direct Costs (included in fee proposal)</b>								
6.1 Reproducible Services								\$1,500.00
6.2 Travel and Subsistence								\$1,000.00
6.3 Surveying								\$33,000.00
6.4 Geotechnical Evaluation								\$25,500.00
<b>Total Fees Including all Direct Costs</b>								\$280,990.75
								100.0%

## ATTACHMENT B



EDAW INC

1688 MERIDIAN AVENUE

SUITE 303

MIAMI BEACH FLORIDA

33139

TEL 305 604 5878

FAX 305 604 5704

LICENSE NUMBER LC0000386



28 February 2005

Charles O. Carreño, P.E.  
Deputy Project Manager  
Hazen & Sawyer, P.C.  
975 Arthur Godfrey Road, Suite 211  
Miami Beach, FL 33140

**Re: City of Miami Beach  
Right-of-Way Infrastructure Improvement Program  
Neighborhood No. 10: Flamingo / Lummus (1A029.01)  
Utility Verification Add Fee Proposal**

Dear Mr. Carreño:

This additional service request is to provide utility verification services at several locations throughout the Flamingo/Lummus neighborhood. These services will be provided in the amount of \$267,808.84 as per the attached spreadsheet and letter by our subconsultant, F.R. Aleman & Associates, Inc.

This additional service request is valid for sixty (60) days at which time we reserve the right to review and renegotiate the proposed scope and fee.

Please feel free to call with any questions or comments regarding this proposal.

Best Regards,

<< sent via email without signature >>

Leonardo Alvarez  
Vice-President / Principal

Cesar M. Garcia-Pons  
Senior Associate

cc: David Troncale, file - EDAW

Encl.

**Confirmed and accepted by:**

EDAW, Inc.

City of Miami Beach

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Typed/Printed Name

\_\_\_\_\_  
Typed/Printed Name



Charles O. Carreño, P.E.  
February 28, 2005  
Page 2 of 2

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Title

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Date

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Title

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Date

Flamingo/Lummus Neighborhood Utility Verification Add Service Request

Contract Billing Rate		Proj. Director	Proj. Manager	Senior PE	Staff PE	Designer	Drafter	Clerical	Total Hours	Total Cost
		\$155.41	\$128.61	\$110.39	\$93.24	\$76.30	\$55.73	\$42.87	162	\$16,667.82
Planning Phase		12	36	48	36		18	12		
1 Utility Verification Review										
Labor Summary		Proj. Director	Proj. Manager	Senior LA	Project LA	Designer	Drafter	Clerical		
		12	36	48	72	0	24	12	162	
Total Hours										\$20,358.84
Total Fees		\$ 1,864.92	\$ 4,629.96	\$ 5,296.72	\$ 6,713.28	\$ -	\$ 1,337.52	\$ 514.44		
Direct Costs										\$247,450.00
6.5 Utility Verification Services (assumes 1414 locations)										\$267,808.84
Total Fees Including all Direct Costs										

## ATTACHMENT C

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Exhibit 'A'

		Contract Billing Rate								
		Proj. Director	Proj. Manager	Senior LA	Staff LA	Designer	Drafter	Clerical	Total Hours	Total Cost
		\$155.41	\$128.61	\$110.39	\$93.24	\$76.30	\$55.73	\$42.87		
Planning Phase										
1	Extended Planning Phase	23	59				19		101	\$12,221.29
Design Phase										
2	Encroachment Identification Format	10	32		148		13		203	\$20,193.63
<b>Labor Summary</b>										
		Proj. Director	Proj. Manager	Senior LA	Project LA	Designer	Drafter	Clerical		
		33	91	0	148	0	32	0	304	
Total Hours										
Total Fees		\$ 5,128.53	\$ 11,703.51	\$ -	\$ 13,799.52	\$ -	\$ 1,783.36	\$ -		\$32,414.92
Total Fees Including all Direct Costs										\$32,414.92

## **RESOLUTION TO BE SUBMITTED**